



AGENDA

Regular Council Meeting

June 11, 2024

6:00 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Pages

1. **CALL TO ORDER**

2. **DECLARATIONS OF PECUNIARY INTEREST**

3. **AMENDMENTS AND APPROVAL OF AGENDA**

RECOMMENDATION

THAT the June 11, 2024 regular Council meeting agenda be accepted as presented.

4. **PUBLIC INPUT PERIOD**

Public input received by the Clerks Department prior to 4:30 pm on the day of the meeting will be read aloud during this portion of the agenda.

Submissions will be accepted via email at clerksoffice@town.stmarys.on.ca or in the drop box at Town Hall, 175 Queen Street East, lower level.

5. **DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS**

5.1 **Statutory Public Meeting - 428 Queen Street East**

5.1.1 **Procedural Comments**

5.1.2 **Presentation (Planner)**

5.1.3 **Presentation (Applicant and Agent)**

5.1.4 Public Comments

5.1.4.1 Anita Ruthig 423 Elgin Street West, St. Marys 24

5.1.5 Council Comments

6. ACCEPTANCE OF MINUTES

6.1 Regular Council - May 28, 2024 26

RECOMMENDATION

THAT the May 28, 2024 regular Council meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

6.2 ADHOC Committee - June 5, 2024 36

RECOMMENDATION

THAT the June 5, 2024 ADHOC Committee meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

7. CORRESPONDENCE

7.1 Sandy Boates regarding Glyphosate Dangers 38

RECOMMENDATION

THAT the correspondence from Sandy Boates regarding the dangers of glyphosate be received.

7.2 Minister of Citizenship and Multiculturalism re: Bill 200, Homeowner Protection Act, 2024 39

RECOMMENDATION

THAT the correspondence from the Minister of Citizenship and Multiculturalism regarding Bill 200, Homeowner Protection Act, 2024 be received.

8. STAFF REPORTS

8.1 Administration

8.1.1 ADMIN 29-2024 CRES Partnership Agreements for 2024-2025

40

RECOMMENDATION

THAT ADMIN 29-2024 CRES Partnership Agreement for 2024-2025 report be received; and

THAT Council consider By-law 62-2024, being a by-law to authorize the Mayor and the Clerk to sign a Collaborative Relationship for Extended Partnerships Agreement with the Avon Maitland District School Board; and

THAT Council consider By-law 63-2024, being a by-law to authorize the Mayor and the Clerk to sign a Collaborative Relationship for Extended Partnerships Agreement with the Huron Perth District Catholic School Board.

8.2 Building and Development Services

8.2.1 DEV 24-2024 Application for Zoning By-law Amendment (Z01-2024) for 428 Queen Street West by Baker Planning Group Inc. for Pol Quality Homes and Joan Lang

60

RECOMMENDATION

THAT DEV 24-2024 Application for Zoning By-law Amendment (Z01-2024) for 428 Queen Street West by Baker Planning Group Inc. for Pol Quality Homes and Joan Lang report be received; and

THAT Staff report back to Council through the preparation of a comprehensive report outlining staff recommendations on the disposition of this Application following an assessment of all internal department, external agency, public and Council comments.

8.3 Community Services

8.3.1	DCS 39-2024 Minor Hockey Ice Allocation Policy Request	112
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RECOMMENDATION

THAT DCS 39-2024 Minor Hockey Ice Allocation Policy Request report be received; and

THAT Council direct staff to proceed with Option _____ as outlined in DCS 39-2024 report and the ice allocation policy be modified (as necessary) to reflect these changes and to be returned to Council for future approval.

8.4 Public Works

8.4.1	PW 31-2024 Aggregate Resource License Surrender for Pit No. 4489	121
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RECOMMENDATION

THAT PW 31-2024 Aggregate Resource License Surrender for Pit No. 4489 report be received; and

THAT Council authorize the Mayor and the Clerk to sign the necessary request for surrender of gravel pit No. 4489 on behalf of the Town of St. Marys.

8.4.2	PW 32-2024 Annual Landfill Report for 2023 Operations	126
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RECOMMENDATION

THAT PW 32-2024 Annual Landfill Report for 2023 Operations report be received for information.

8.4.3	PW 33-2024 Lighting Material Agreement with Product Care Association of Canada	129
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RECOMMENDATION

THAT PW 33-2024 Lighting Material Agreement with Product Care Association of Canada report be received; and

THAT Council consider By-law 64-2024, being a by-law authorizing the Mayor and the Clerk to sign the associated agreement with the Product Care Association of Canada.

9. COUNCILLOR REPORTS

9.1 Operational and Board Reports

RECOMMENDATION

THAT Committee and Board minutes listed under agenda items 9.1.1 to 9.1.7 and 9.2.1 to 9.2.13 be received; and,

THAT the verbal updates provided by Council representatives on those Committee and Board meetings be received.

9.1.1	Bluewater Recycling Association - Coun. Craigmile	168
	May 30, 2024 Meeting Highlights	
9.1.2	Business Improvement Area - Coun. Aylward	183
	May 13, 2024 Minutes	
9.1.3	Huron Perth Public Health - Coun. Luna	
9.1.4	Library Board - Mayor Strathdee, Couns. Aylward and Pridham	189
	May 22, 2024 Draft ADHOC Minutes	
9.1.5	Municipal Shared Services Committee - Mayor Strathdee, Coun. Edney	
9.1.6	Spruce Lodge Board - Couns. Lucas, Luna	191
	April 17, 2024 Minutes	
9.1.7	Upper Thames River Conservation Authority - Coun. Craigmile	194
	April 16, 2024 Minutes	
9.2	Advisory and Ad-Hoc Committee Reports	
9.2.1	Canadian Baseball Hall of Fame and Museum - Coun. Edney	
9.2.2	Committee of Adjustment	201
	June 5, 2024 Draft Minutes	
9.2.3	Community Policing Advisory Committee - Couns. Edney and Luna	206
	May 15, 2024 Draft Minutes	

9.2.4	Downtown Service Location Review Committee - Mayor Strathdee, Coun. Pridham	
9.2.5	Flats Revitalization Committee - Mayor Strathdee, Couns. Edney, Pridham	
9.2.6	Green Advisory Committee - Coun. Aylward	209
	May 16, 2024 Draft Minutes	
	*Recommendation from minute item 4.1 to be considered by Council at a future meeting.	
	RECOMMENDATION	
	THAT Council consider a request from the Upper Thames River Conservation Authority to host a Perth Children's Water Festival in St. Marys in 2025.	
9.2.7	Heritage and Culture Advisory Committee - Coun. Lucas	212
	May 8, 2024 Draft Minutes	
9.2.8	Planning Advisory Committee - Couns. Craigmile, Lucas	216
	May 21, 2024 Draft Minutes	
	*Recommendation from minute item 7.4, Z01-2024 By-law Amendment 428 Queen Street West, to be considered by Council.	
	RECOMMENDATION	
	THAT Council proceed with a public meeting to consider the Application.	
9.2.9	Recreation and Leisure Advisory Committee - Coun. Pridham	222
	May 29, 2024 Draft Minutes	
9.2.10	St. Marys Lincolns Board - Coun. Craigmile	
9.2.11	St. Marys Minor Hockey Association Board - Coun. Craigmile	
9.2.12	St. Marys Cement Community Liaison Committee - Couns. Craigmile, Edney	

10. EMERGENT OR UNFINISHED BUSINESS

11. NOTICES OF MOTION

11.1 Councillor Craigmile re: Enforcement of Maintenance Standards on Vacant and Damaged Properties in the Downtown Core

As per Section 12.1 of the Procedure By-law, 20 of 2016, a Notice of Motion pertaining to a matter that has not been dealt with previously by Council will be presented on the current agenda, but will not be received and debated by Council until the next following meeting being June 25, 2024.

Notice of Motion - THAT staff report to Council regarding the current legislation (federal, provincial, and municipal) available to the municipality related to enforcement of maintenance standards on vacant and damaged properties in the downtown core.

12. BY-LAWS

RECOMMENDATION

THAT By-Laws 62-2024, 63-2024, and 64-2024 be read a first, second and third time; and be finally passed by Council, and signed and sealed by the Mayor and the Clerk.

12.1	By-law 62-2024 Agreement with Avon Maitland District School Board for Collaborative Relationships for Extended Services Partnership	226
12.2	By-law 63-2024 Agreement with Huron Perth Catholic District School Board for Collaborative Relationships for Extended Services Partnership	227
12.3	By-law 64-2024 Agreement with Producer Care Association of Canada for the Collection, Transportation and Processing Costs for Lighting Materials	228

13. UPCOMING MEETINGS

*All meetings are open to the public to attend in person at the Municipal Operations Centre and will be live streamed to the Town's YouTube channel.

June 18, 2024 - 9:00 am, Strategic Priorities Committee

June 19, 2024 - 9:00 am, Special Meeting of Council

June 25, 2024 - 6:00 pm, Regular Council

14. CONFIRMATORY BY-LAW

230

RECOMMENDATION

THAT By-Law 65-2024, being a by-law to confirm the proceedings of June 11, 2024 regular Council meeting be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

15. ADJOURNMENT

RECOMMENDATION

THAT this regular meeting of Council be adjourned at _____ pm.



Statutory Public Meeting
June 11, 2024
Town File No.: Z01-2024

428 Queen St. W. St. Marys
Pol Quality Homes

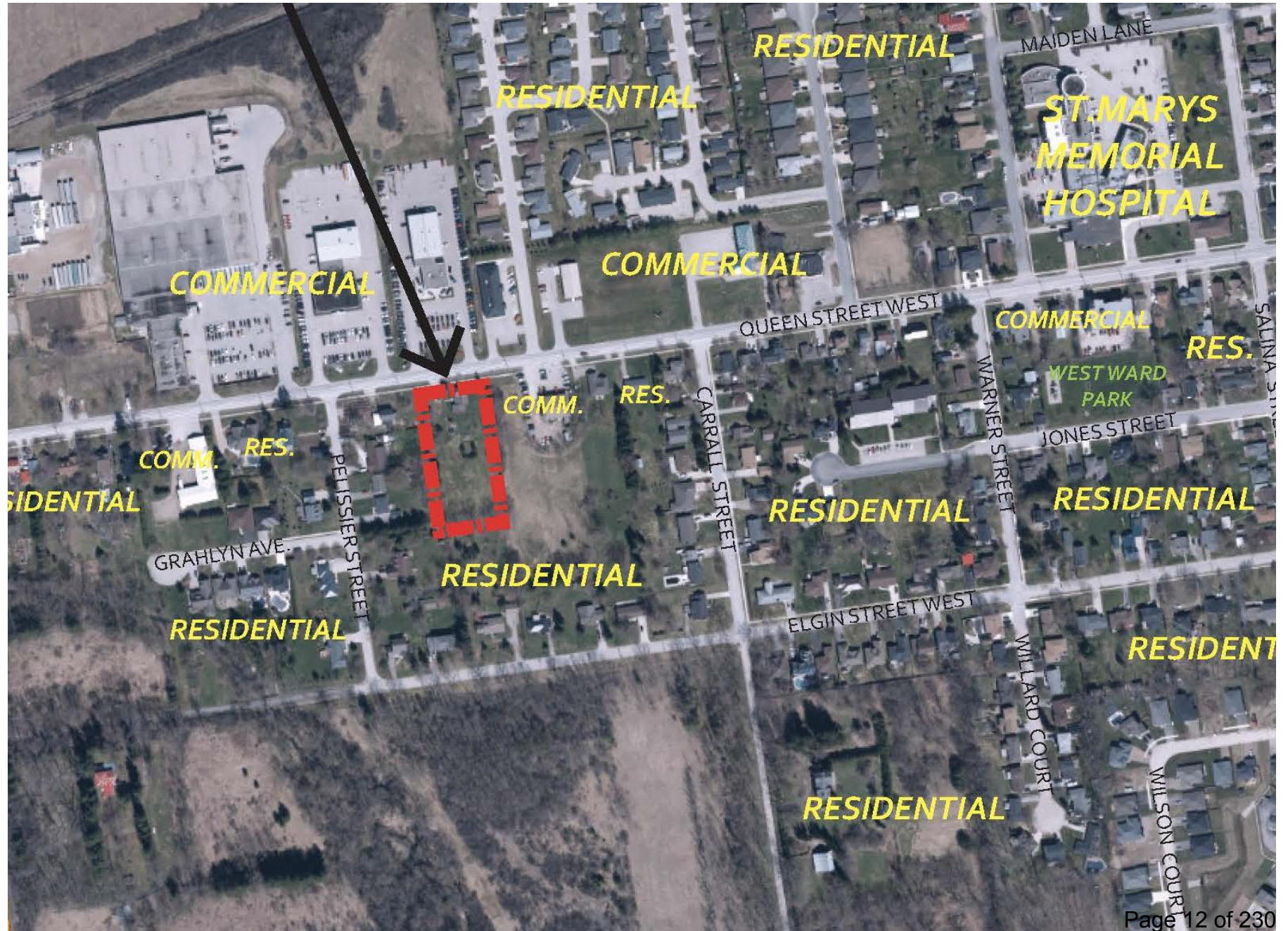
Introductions

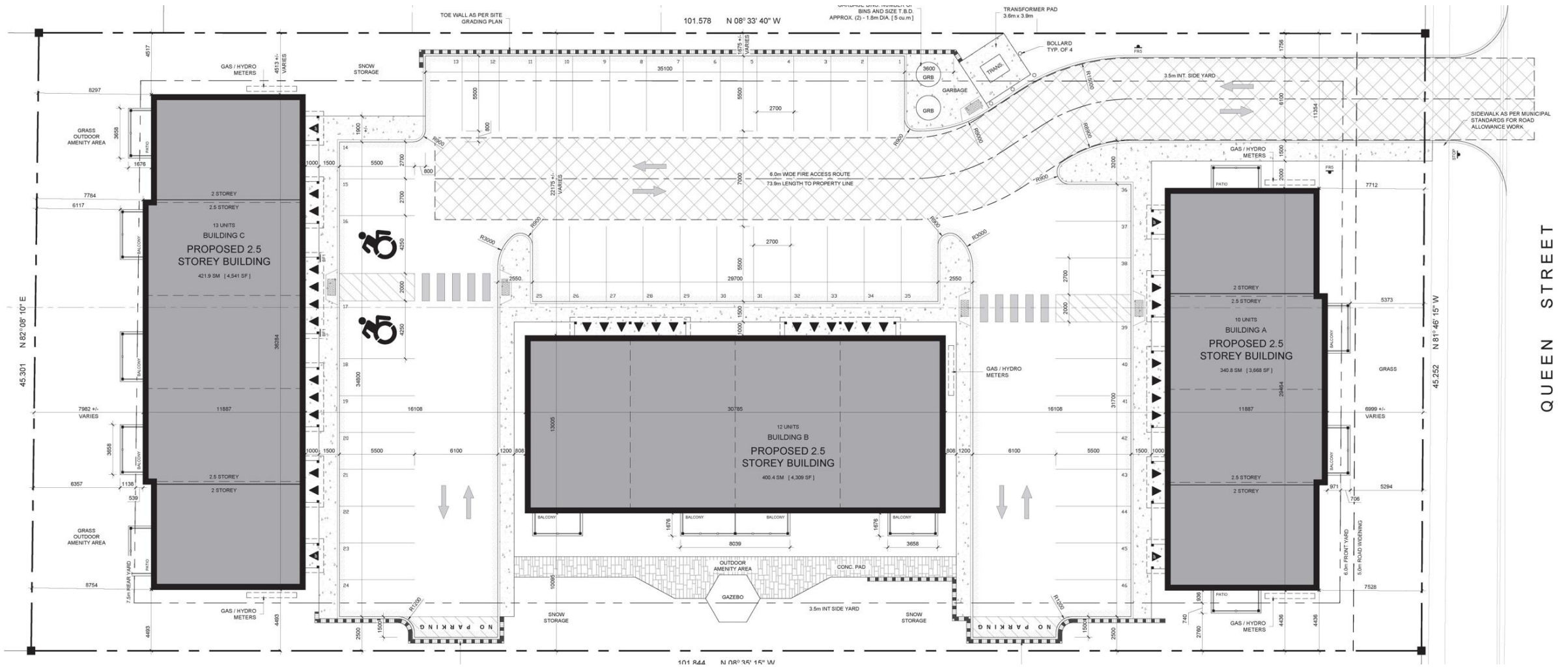
- Owner – Joan Lang
- Applicant – Pol Quality Homes
- Planner – Baker Planning Group
- Engineering – MTE Consultants
- Architectural – R. Ritz Architects

Site



Site Context

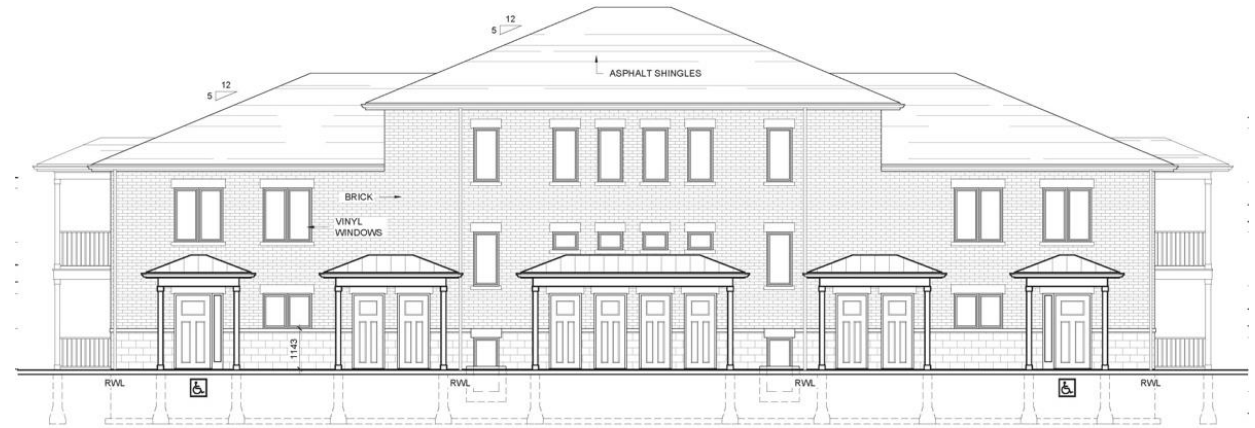




Proposed Development



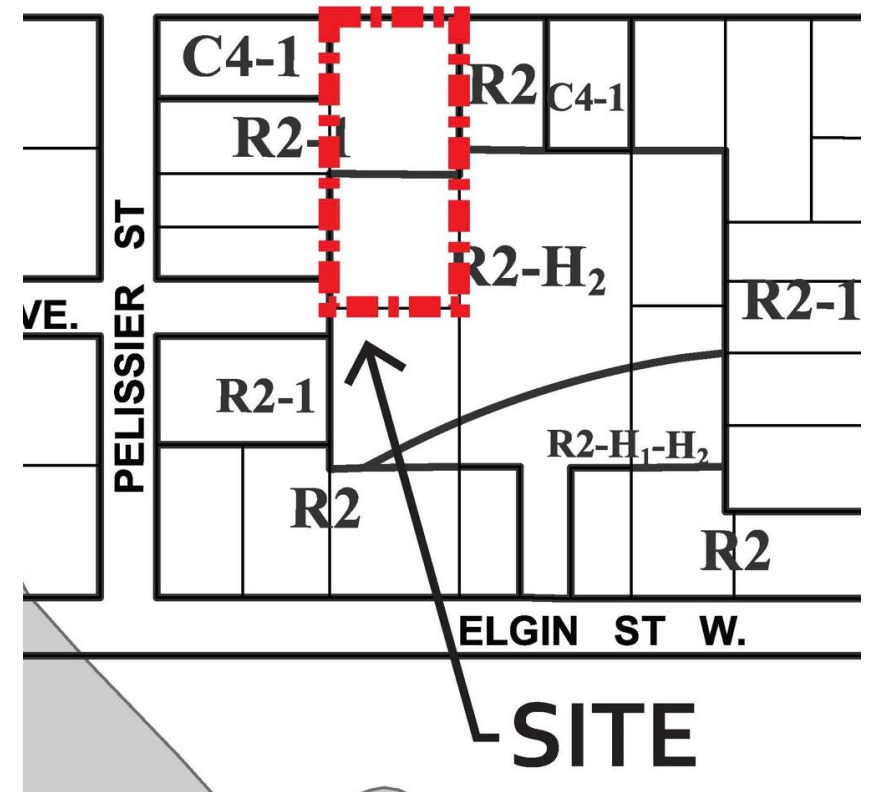
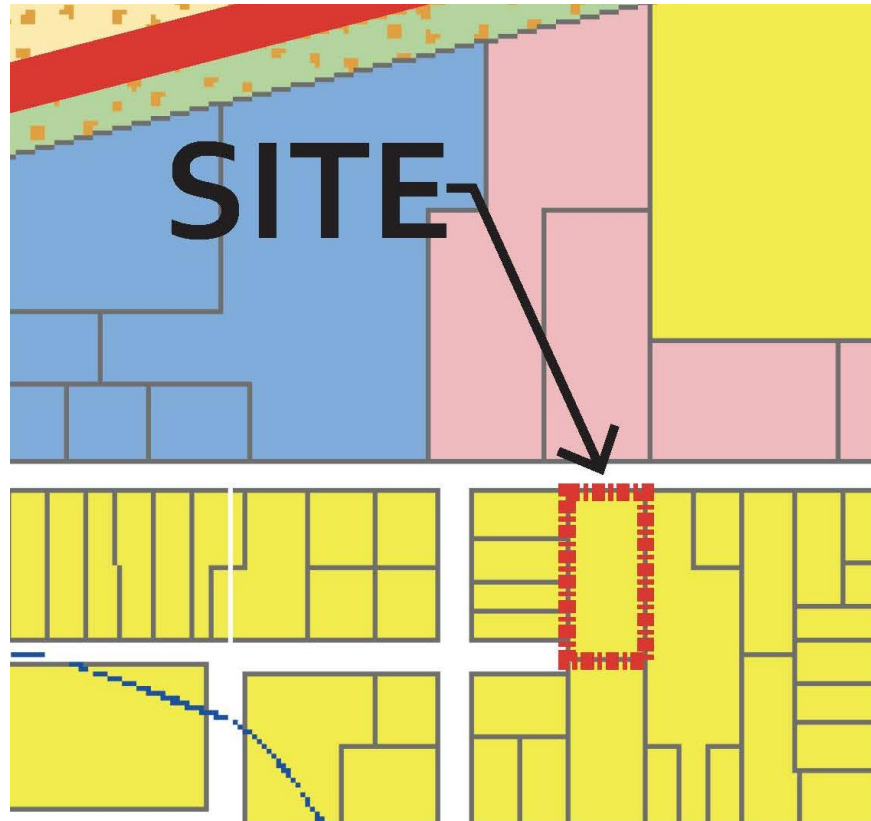
Proposed Development



Proposed Development



Planning Policy Framework



- OP Designation: Residential
- Adopted OP Designation: Residential
- Zone: R2-1 and R2-H²

Zoning By-law Amendment

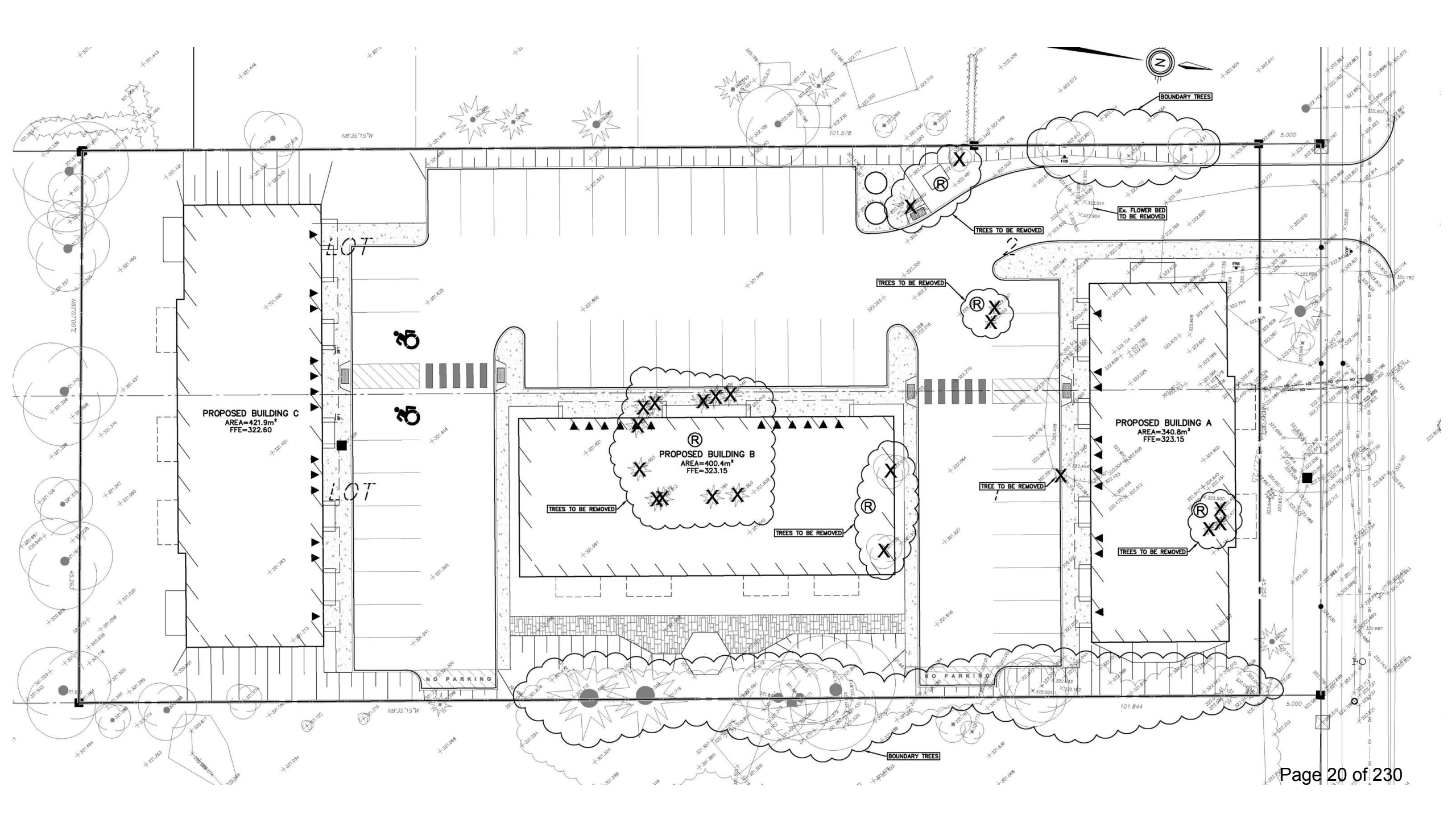
Rezone to a site-specific R5 Zone to implement the proposed stacked townhouse/low rise apartment use.

Provisions include:

- Permitting 76 uph
- Reducing the front yard setback to align with recently approved development on Queen St. W.
- Establishing a maximum height of 12m
- Defining the location of driveways and porches
- Requiring a minimum of—street parking rate of 1.3 spaces per dwelling unit
 - Meets off-street parking for the 1-bedroom units
 - Supplies a rate of 1.34 spaces/2 bedroom units

Servicing Overview

- Municipal services available on Queen St. W., available to connect to the proposed development (water and sanitary)
- Best engineering practices will be implemented for the grading and the drainage of the Site
- Grading has been designed to limit the height and extent of retaining walls required on the Site and allow existing trees to be retained



Traffic Impact & Parking Study

- All traffic movements expected to operate with acceptable level of service - no mitigation measures are required
- Proposed parking supply has a deficiency of 11 parking spaces compared to the Zoning By-law requirement
- Parking utilization surveys for 2 proxy residential developments in the Town of St. Marys - results concluded that the proposed parking supply for the proposed development will meet and/or exceed the expected parking demand from rates for similar type units (smaller, apartment-sized units)
- Applicant proposing a condominium ownership structure that limits the use of the land for storage of recreational vehicles, boats, etc.

Housing Affordability

- The form of development contributes to a greater range of housing types in the community, with options for 1- and 2-bedroom suites in an efficient building design
- Applicant is proposing to include two (2) affordable dwelling units within the development with the required legal agreement to maintain the units for 30 years

Planning Opinion

- Consistent with the PPS in supporting intensification within a serviced settlement area.
- Conforms to the OP and Adopted OP.
- Intensifying an underutilized property on an arterial road with access to existing and planned infrastructure.
- Supporting alternative modes of transportation, including pedestrian movements and connections to the community.
- Diversifying the range and type of housing in the community with the provision of smaller, more attainable units.
- Contributing affordable and attainable housing units to the St. Marys market.
- Creating a well-designed site that integrates a housing typology into the existing mixed-use area.

June 3, 2024

Re: File Z01-2024 - 428 Queen St. W Development
(Pol Quality Homes and Joan Lang by Baker Planning Group)

To: Mayor Strathdee and Council
Jenna McCartney
Grant Brouwer

I am putting forward my concerns as my Elgin Street property abuts the full south border of this proposed Queen West development. The Ruthig family has owned this piece of land for over 60 years and enjoys its private, peaceful and natural landscape. I understand housing density is a priority for the province, however, I believe any density/build change must be comprehensively handled (in a situation specific manner) so as to blend as seamlessly, and be as workable, as possible within the current neighbourhood. It appears the onus unjustly falls on the current residents to mitigate any negative effects (potentially incurring unnecessary expense) of this proposed bylaw change. Although the general opinion may be that the current design/plan has taken everything into account, there are still outstanding issues I would appreciate the Town addressing:

- Set-back of building from south property line be increased: there are currently 10 balconies in the plan; 5 of which are at a 2.5 storey level, all facing my property. There will exist an overlook through the tops of any trees and above my shed to my house & immediate backyard. No fence will be high enough to provide the original level of privacy and there may be a solid shadowing envelope. The proposed setback (10 m) could be increased with a design change and/or a reduction in the number of units. Preservation of long-standing greenspace (and biodiversity) would be added benefits.
- Access - fencing and trees: do note the southern perimeter line of trees is part of the Ruthig property, not part of the development "site" per the application. Over the years I've had a few trespassers cut through the fields and congregate in my treed areas. Now it will be very easy for a greater number of children and adults to enter my property - a very short walk. A wooden fence at least 7 or 8' high along the south border in front of my tree line (preserving the overhanging canopy) would create a deterrent. A full perimeter fence is the ideal option, heights can vary. Larger trees should also be planted - enough feet away from this fence (and current tree canopy) to deter climbing and jumping over the fence (not low shrubs), perhaps set on an elevated bank. More than buffers are required.

- Current single roadway plan: this will minimize any infrastructure build and future maintenance costs - will adhere to the "use what you have" provincial objective and marginalize the impact on Elgin Street.
- Stormwater system/catch basins: proper drainage away from my property is required with catch basins, etc. It appears the Lang property grade slopes somewhat to the south. Old town infrastructure from the north east floods part of my property every spring and the water runs west across neighbouring properties. The Town should ensure this is given a thorough review and corrective action taken before any development is given the go-ahead.
- Future receptacle location consideration: as any future design additions/changes may not be relayed prior to construction, I would appreciate no garbage containers or anything affecting the natural landscape (maintain low noise and odour environment) be placed along the south border.

Thank you for your due consideration of the above.

Sincerely,

A handwritten signature in black ink, appearing to be 'AR' with a stylized flourish.

Anita Ruthig
423 Elgin St. West
St. Marys



**MINUTES
Regular Council**

May 28, 2024
6:00pm
Municipal Operations Centre

Council Present: Mayor Strathdee
Councillor Aylward
Councillor Craigmile
Councillor Edney
Councillor Lucas
Councillor Pridham

Council Regrets: Councillor Luna

Staff Present: **In-Person**
Brent Kittmer, Chief Administrative Officer
Jenna McCartney, Clerk

Conference Line
Richard Anderson, Director of Emergency Services
Grant Brouwer, Director of Building and Development
Stephanie Ische, Director of Community Services
Jed Kelly, Director of Public Works
Jennifer Knechtel, Director of Human Resources
André Morin, Director of Corporate Services / Treasurer
Amy Cubberley, Cultural Services Manager
Joannah Campbell, Recreation Manager

1. CALL TO ORDER

Mayor Strathdee called the meeting to order at 6:00 pm.

2. DECLARATIONS OF PECUNIARY INTEREST

None.

3. AMENDMENTS AND APPROVAL OF AGENDA

Resolution 2024-05-28-01

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT the May 28, 2024 regular Council meeting agenda be accepted as presented.

CARRIED

4. PUBLIC INPUT PERIOD

None.

5. DELEGATIONS, PRESENTATIONS, AND PUBLIC MEETINGS

None.

6. ACCEPTANCE OF MINUTES

6.1 Regular Council - May 14, 2024

Resolution 2024-05-28-02

Moved By Councillor Lucas

Seconded By Councillor Aylward

THAT the May 14, 2024 regular Council meeting minutes be approved by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

6.2 Strategic Priorities Committee - May 21, 2024

Resolution 2024-05-28-03

Moved By Councillor Pridham

Seconded By Councillor Edney

THAT the May 21, 2024 Strategic Priorities Committee meeting minutes be received by Council and signed and sealed by the Mayor and Clerk;
and

THAT minute item 4.1 be raised for consideration.

CARRIED

6.2.1 Downtown Service Location Review Project Check-In

Resolution 2024-05-28-04

Moved By Councillor Aylward

Seconded By Councillor Pridham

THAT the scope of the Downtown Service Location Review be narrowed to consider only the future uses of the train station and 14 Church Street North.

CARRIED

7. CORRESPONDENCE

7.1 Mike Lammond re: State of Ontario Street

Resolution 2024-05-28-05

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT the correspondence from Mike Lammond regarding the state of Ontario Street in St. Marys be received and referred to staff for a report back during the 2025 budget deliberations on the condition and future maintenance and capital plans for Ontario Street South.

CARRIED

7.2 Perth Municipal Association re: One-Time Funding Request

Resolution 2024-05-28-06

Moved By Councillor Edney

Seconded By Councillor Lucas

THAT the correspondence from Perth Municipal Association regarding a one-time funding request be received; and

THAT Council approves the one-time funding request of \$300 from Perth Municipal Association to be funded as a variance to the 2024 Community Grant budget allotment.

CARRIED

8. STAFF REPORTS

8.1 Administration

8.1.1 ADMIN 27-2024 May Monthly Report (Administration)

Resolution 2024-05-28-07

Moved By Councillor Aylward

Seconded By Councillor Pridham

THAT ADMIN 27-2024 May Monthly Report (Administration) be received for information.

CARRIED

8.1.2 ADMIN 28-2024 Stop Up, Close and Declare Surplus a Portion of Grahlyn Avenue (PIN 53240-0007, formerly Jones Street West)

Resolution 2024-05-28-08

Moved By Councillor Aylward

Seconded By Councillor Lucas

THAT ADMIN 28-2024 Stop Up, Close, and Declare Surplus a Portion of Grahlyn Avenue (PIN 53240-0007, formerly Jones Street West) report be received; and

THAT Council consider By-law 57-2024, being a by-law to stop up, close, and declare surplus a portion of Grahlyn Avenue (PIN 53240-0007, formerly Jones Street West).

CARRIED

8.2 Building and Development Services

8.2.1 DEV 19-2024 May Monthly Report (Building and Development)

Resolution 2024-05-28-09

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT DEV 19-2024 May Monthly Report (Building and Development) be received for information.

CARRIED

8.2.2 DEV 17-2024 14 Church Street North (Mercury Theater) Renovation

Resolution 2024-05-28-10

Moved By Councillor Aylward

Seconded By Councillor Pridham

THAT DEV 17-2024 14 Church Street North (Mercury Theater) Renovation report be received; and

THAT Council approve an increase in the contingency for this project of additional \$70,000.00, and

THAT Council approve the increase in the total project cost to \$890,950.40.

CARRIED

8.2.3 DEV 18-2024 Municipal Operation Centre HVAC Upgrade Project Award

Resolution 2024-05-28-11

Moved By Councillor Craigmile

Seconded By Councillor Lucas

THAT DEV 18-2024 Municipal Operation Centre HVAC Upgrade Project Award report be received; and,

THAT the procurement for DEV-19-2024-RFT Municipal Operation Centre HVAC Upgrade Project be awarded to Jayden's Mechanical Ltd for the procured price of \$86,000.00, inclusive of all taxes and contingencies; and,

THAT Council consider By-Law 58-2024, being a by-law to authorize the Mayor and the Clerk to sign the associated agreement with Jayden's Mechanical Ltd.

CARRIED

8.2.4 DEV 20-2024 772 Queen St E, Repeal of Superseded Site Plan Agreement McKinley

Resolution 2024-05-28-12

Moved By Councillor Craigmile

Seconded By Councillor Pridham

THAT DEV 20-2024 772 Queen St E, Repeal of Superseded Site Plan Agreement McKinley report be received; and

THAT Council consider By-law 59-2024 being a by-law to repeal By-law 30-1998 that had previously authorized the Mayor and the Clerk to execute a site plan agreement between the Town of St. Marys and McKinley Hatchery (St. Marys) Limited for 772 Queen Street East; and

THAT Council authorize the Mayor and the Clerk to execute an acknowledgement and direction permitting a release of the 1998 site plan agreement from property title of 772 Queen Street East.

CARRIED

8.2.5 DEV 21-2024 Partial Release of Site Plan Agreement 769 Queen St East

Resolution 2024-05-28-13

Moved By Councillor Lucas

Seconded By Councillor Edney

THAT DEV 21-2024 Partial Release of Site Plan Agreement 769 Queen St East be received; and

THAT Council authorize the Mayor and the Clerk to execute an acknowledgment and direction for partial release of the 2022 site plan agreement from the property title of 769 Queen Street East.

CARRIED

8.3 Community Services

8.3.1 DCS 30-2024 May Monthly Report (Community Services)

Resolution 2024-05-28-14

Moved By Councillor Aylward

Seconded By Councillor Craigmile

THAT DCS 30-2024 May Monthly Report (Community Services) be received for information.

CARRIED

8.3.2 DCS 31-2024 Community Services Recreation Program Inclusion Policy

Resolution 2024-05-28-15

Moved By Councillor Pridham

Seconded By Councillor Edney

THAT DSC 31-2024 Community Services Recreation Program Inclusion Policy report be received, and

THAT Council consider By-law 56-2024, being a by-law to approve the Recreation Program Inclusion policy.

CARRIED

8.3.3 DCS 36-2024 St. Marys Poet Laureate Request

Resolution 2024-05-28-16

Moved By Councillor Craigmile

Seconded By Councillor Edney

THAT DCS 36-2024 St. Marys Poet Laureate Request report be received; and

THAT Council accept the Heritage and Culture Committee's recommendation to not proceed with the appointment of a Poet Laureate for the Town of St. Marys at this time.

CARRIED

8.4 Corporate Services

8.4.1 COR 26-2024 May Monthly Report (Corporate Services)

Resolution 2024-05-28-17

Moved By Councillor Lucas

Seconded By Councillor Aylward

THAT COR 26-2024 May Monthly Report (Corporate Services) be received for information.

CARRIED

8.5 Fire and Emergency Services

8.5.1 FD 07-2024 May Monthly Report (Emergency Services)

Resolution 2024-05-28-18

Moved By Councillor Aylward

Seconded By Councillor Craigmile

THAT FD 07-2024 May Monthly Report (Emergency Services) be received for information.

CARRIED

8.6 Human Resources

8.6.1 HR 05-2024 May Monthly Report (Human Resources)

Resolution 2024-05-28-19

Moved By Councillor Pridham

Seconded By Councillor Lucas

THAT HR 05-2024 May Monthly Report (Human Resources) be received for information.

CARRIED

8.6.2 HR 06-2024 Council OMERS Participation

Resolution 2024-05-28-20

Moved By Councillor Craigmile

Seconded By Councillor Aylward

THAT HR 06-2024 Council OMERS Participation report be received; and

THAT Council decides not to participate in the OMERS pension plan.

CARRIED

8.7 Public Works

8.7.1 PW 30-2024 May Monthly Report (Public Works)

Resolution 2024-05-28-21

Moved By Councillor Pridham

Seconded By Councillor Edney

THAT PW 30-2024 May Monthly Report (Public Works) be received for information.

CARRIED

8.7.2 PW 25-2024 Encroachment Agreement 109 King Street South

Resolution 2024-05-28-22

Moved By Councillor Craigmile

Seconded By Councillor Lucas

THAT PW 25-2024 Encroachment Agreement 109 King Street South report be received; and

THAT Council consider By-law 60-2024, being a by-law to authorize the Mayor and the Clerk to sign an encroachment agreement with Suncor Energy Products Partnership for encroachment on road allowance at 109 King Street South, St. Marys.

CARRIED

9. EMERGENT OR UNFINISHED BUSINESS

None.

10. NOTICES OF MOTION

None.

11. BY-LAWS

Resolution 2024-05-28-23

Moved By Councillor Aylward

Seconded By Councillor Pridham

THAT By-Laws 56-2024, 57-2024, 58-2024, 59-2024 and 60-2024 be read a first, second and third time; and be finally passed by Council, and signed and sealed by the Mayor and the Clerk.

CARRIED

11.1 By-Law 56-2024 Recreation Program Inclusion Policy

11.2 By-Law 57-2024 Stop Up, Close and Declare Surplus a portion of Grahlyn Avenue

11.3 By-Law 58-2024 Agreement with Jayden's Mechanical Ltd.

11.4 By-Law 59-2024 Repeal By-law 30-1998 Being a Site Plan Agreement with McKinley Hatchery (St. Marys)

11.5 By-Law 60-2024 Encroachment Agreement with Suncor Energy Products Partnership

12. UPCOMING MEETINGS

June 11, 2024 - 6:00 pm, Regular Council, Municipal Operations Centre, 408 James Street South

June 18, 2024 - 9:00 am, Strategic Priorities Committee (Location TBD)

June 25, 2024 - 6:00 pm, Regular Council (Location TBD)

13. CONFIRMATORY BY-LAW

Resolution 2024-05-28-24

Moved By Councillor Aylward

Seconded By Councillor Craigmile

THAT By-Law 61-2024, being a by-law to confirm the proceedings of May 28, 2024 regular Council meeting be read a first, second and third time; and be finally passed by Council and signed and sealed by the Mayor and the Clerk.

CARRIED

14. ADJOURNMENT

Resolution 2024-05-28-25

Moved By Councillor Pridham

Seconded By Councillor Aylward

THAT this regular meeting of Council be adjourned at 7:48 pm.

CARRIED

Al Strathdee, Mayor

Jenna McCartney, Clerk



ADHOC CAO Performance Review Committee

June 5, 2024

9:00 am

Municipal Operations Centre

Council Present: Mayor Strathdee
Councillor Aylward
Councillor Craigmile

Staff Present: Jenna McCartney, Clerk
Jennifer Knechtel, Director of Human Resources

1. CALL TO ORDER

The Chair called the meeting to order at 9:05 am.

2. DECLARATION OF PECUNIARY INTEREST

None.

3. AMENDMENTS AND APPROVAL OF AGENDA

Resolution 2024-06-05-01

Moved By Councillor Craigmile

Seconded By Councillor Aylward

THAT the June 5, 2024 ADHOC CAO Performance Review Committee agenda be accepted as presented.

CARRIED

4. CLOSED SESSION

Resolution 2024-06-05-02

Moved By Councillor Aylward

Seconded By Councillor Craigmile

THAT the ADHOC CAO Performance Committee move into a session that is closed to the public at 9:05 am as authorized under the *Municipal Act*, Section

239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

CARRIED

4.1 CONFIDENTIAL CAO Performance Review (2024)

5. RISE AND REPORT

Resolution 2024-06-05-04

Moved By Councillor Aylward

Seconded By Councillor Craigmile

THAT the Committee rise from a closed session at 9:24 am.

CARRIED

Chair Strathdee reported that a closed session was held with one matter related to employee performance being discussed. There is nothing further to report at this time.

6. ADJOURNMENT

Resolution 2024-06-05-05

Moved By Councillor Aylward

Seconded By Councillor Craigmile

THAT this ADHOC CAO Performance Review Committee meeting adjourn at 9:25 am.

CARRIED

Al Strathdee, Mayor

Jenna McCartney, Clerk

From: noreply@town.stmarys.on.ca <noreply@town.stmarys.on.ca> on behalf of Sandy Boates
<sandyboates@shaw.ca>

Sent: Sunday, May 26, 2024 9:36:30 PM

To: Brent Kittmer <bkittmer@town.stmarys.on.ca>

Subject: roundup is poison 2024

Dear Mayor, Council, City and First Nations,

Roundup is poison. It's active ingredient is glyphosate. It's been called the 'DDT of this century', and it is. Vancouver, Quebec and Montreal have banned the use of glyphosate. Glyphosate and other toxic chemicals need to be banned here, as well as in every other city and province across Canada.

The regulatory agencies still allow the use of glyphosate and other toxic chemicals (see regulatory capture below). They do not have the right to pollute our environment and our food with these chemicals, poisoning us, bees, our children, our pets and wild animals. They don't have the right to destroy biology and take that away from future generations. Where, when and with who does this begin? It is time for independent thought and action. Please review what I have sent to you. This information has been sent to schools, newspapers and other municipalities across Canada.

Sandy Boates

Vernon, BC

sandyboates@shaw.ca

Toxic Free Okanagan

The right to clean air, water, soil and food.

Roundup and glyphosate in fields and on our plate.

The need to find natural alternatives for everything we do.

Canada should be 'all organic'. Chemical agriculture kills the life in the soil... it makes dead soil... can't grow food... the right to food security.

Healthy soil is a carbon sink.

Please share this information with nearby towns and cities.

More information of this is posted on my facebook page, Vernon, BC.

**Ministry of
Citizenship and
Multiculturalism**

Office of the Minister

56 Wellesley St. W.
14th Floor
Toronto, Ontario M5S 2S3
Tel: 416-212-0036

**Ministère des
Affaires civiques et
du Multiculturalisme**

Bureau du ministre

56 rue Wellesley Ouest
14^e étage
Toronto (Ontario) M5S 2S3
Tél. : 416-212-0036



May 27, 2024

Dear Colleagues:

Thank you for writing and providing your suggestions regarding the changes made to the Ontario Heritage Act (OHA) as part of Bill 23, More Homes Built Faster Act, 2022. Our government remains committed to ensuring that heritage properties important to communities across Ontario are protected and conserved, while also supporting Ontario's future growth and our government's efforts to build 1.5 million homes.

On May 27, 2024, through Bill 200, Homeowner Protection Act, 2024, the Government of Ontario proposed amendments to the OHA that, if passed, would extend the review period for legacy listed properties by an additional two years. This means that municipalities would now have until January 1, 2027, to issue a notice of intention to designate for these properties or otherwise have them removed from the register.

The newly proposed amendments are the result of feedback received from municipalities, community organizations and the public, and, if passed, will alleviate administrative pressures while still meeting the intent of the original amendments to the OHA and its regulations, aimed at increasing housing supply and supporting the growth of our province.

The ministry will continue to work closely with municipalities and communities to monitor the implementation of these changes and to advance our shared conservation goals.

Once again, thank you for sharing your feedback.

Sincerely,

A handwritten signature in black ink, appearing to read "Michael D. Ford".

Hon. Michael D. Ford
Minister of Citizenship and Multiculturalism



FORMAL REPORT

To: Mayor Strathdee and Members of Council

Prepared by: Brittany Petrie, Community Outreach Worker

Date of Meeting: 11 June 2024

Subject: **ADMIN 29-2024 CRES Partnership Agreements for 2024-2025**

PURPOSE

The purpose of this report is to renew the partnership agreement with Avon Maitland District School Board (AMDSB) and bring forward the Huron Perth District Catholic School Board (HPCDSB) partnership agreement for the 2024-2025 school year. These agreements will allow the Town of St. Marys Community Outreach Worker to support students within school spaces.

RECOMMENDATION

THAT ADMIN 29-2024 CRES Partnership Agreement for 2024-2025 report be received; and

THAT Council consider By-law 62-2024, being a by-law to authorize the Mayor and the Clerk to sign a Collaborative Relationship for Extended Partnerships Agreement with the Avon Maitland District School Board; and

THAT Council consider By-law 63-2024, being a by-law to authorize the Mayor and the Clerk to sign a Collaborative Relationship for Extended Partnerships Agreement with the Huron Perth District Catholic School Board.

BACKGROUND

The Town of St. Marys first entered the Collaborative Relationships for Extended Services (CRES) Partnership Agreement with the Avon Maitland District School Board (AMDSB) in the 2023-2024 academic school year. The AMDSB requires external agencies to renew the CRES Partnership Agreement each academic school year. This agreement continues to enable the Community Outreach Worker to collaboratively deliver interventions and support within AMDSB schools. The Community Outreach Worker has been able to provide essential services of addressing issues such as community engagement, system navigation, housing, and homelessness to students and families attending AMDSB schools in St. Marys.

The Huron Perth District Catholic School Board has established an External Collaboration Agreement and Application for the 2024-2025 academic school year, which has similar goals to the CRES agreement with AMDSB.

REPORT

A copy of the policies and agreements for AMDSB and the HPCDSB is attached to this report. Both agreements outline outlining the responsibilities and expectations of the school boards and the Town of St. Marys. The AMDSB appears to have no new changes in the partnership agreement since Council's approval of the agreement for this past 2023-2024 academic school year.

FINANCIAL IMPLICATIONS

No financial implications.

SUMMARY

These Partnership Agreements with both local school boards streamlines services and enhances collaboration without increasing the workload of the Community Outreach Worker. Renewing the CRES Partnership Agreement with the AMDSB and signing the External Collaboration Agreement and Application with the Huron Perth Catholic School Board for the 2024-2025 school year would allow the Community Outreach Worker to continue to collaboratively support children, youth and families in school spaces.

STRATEGIC PLAN

- ☒ This initiative is supported by the following priorities, outcomes, and tactics in the Plan.
 - Pillar #3 Balanced Growth: Providing public services and service levels to attract and retain youth and newcomers.

OTHERS CONSULTED

Brent Kittmer, CAO

Report Approval Details

Document Title:	ADMIN 29-2024 Renew CRES Partnership Agreement for 2024-2025
Attachments:	- CRES Agreement AMDSB 2024 - Appendix A_CRES Agreement_HPCDSB
Final Approval Date:	June 4, 2024

This report and all of its attachments were approved and signed as outlined below:

Brent Kittmer

**AVON MAITLAND DISTRICT SCHOOL BOARD
ADMINISTRATIVE PROCEDURE
NO. 120**

SUBJECT: COLLABORATIVE RELATIONSHIPS FOR EXTENDED SERVICES (CRES) PARTNERSHIP AGREEMENT

Legal References: *Education Act, R.S.O. 1990, c. E-2, Operation of Schools - General, R.R.O. Reg. 298: Section 11(3)(o) Duties of Principal: Cooperation with Residents/Industry/Business/Agencies; Municipal Freedom of Information and Protection of Privacy Act; Ministry of Education Policy/Program Memorandum 149: Protocol for Partnerships with External Agencies for Provision of Services by Regulated Health Professionals, Regulated Social Service Professionals and Paraprofessionals*

Related References: *Administrative Procedure (AP) 103 Management of Personal Information; AP 140 Technology: Responsible Use and Security; AP 160 Access to School Premises; AP 161 BYOD - Bring your own device; AP 194 Privacy Breach Protocol; AP 195 Freedom of Information and Protection of Privacy; AP 351 Code of Conduct; AP 410 Environmental Health and Safety; AP 551 Community Planning and Partnerships*

Avon Maitland District School Board (AMDSB or Board) is committed to working effectively with parents/guardians, external service providers and community agencies to promote student well-being and academic achievement for all students. Service agreements are recognized as mutually beneficial and supportive arrangements between a school and an external mental health, physical health or social service agency. These agreements may supplement, but not duplicate, the services of AMDSB Professional Student Services Personnel and Paraprofessionals.

1.0 Definitions

External Agency: an organization, external to the School Board, that employs regulated health professionals, regulated social services professionals and/or paraprofessionals.

Board PSSP Staff: School board-employed professional student services personnel (PSSP) and/or paraprofessionals that are represented by a bargaining agent recognized under the *Labour Relations Act, 1995*, as amended from time to time.

Professional Student Services Personnel and Paraprofessionals:

- Audiologists, as defined by the *Audiology and Speech-Language Pathology Act, 1991*
- Speech-language pathologists, as defined by the *Audiology and Speech-Language Pathology Act, 1991*
- Occupational therapists, as defined by the *Occupational Therapy Act, 1991*
- Physiotherapists, as defined by the *Physiotherapy Act, 1991*
- Psychologists, as defined by the *Psychology Act, 1991*
- Psychological Associates, as defined by the *Psychology Act, 1991*
- Social workers, as defined by the *Social Work and Social Service Work Act, 1998*

- Other regulated professionals and/or paraprofessionals who are deemed by the school board to be essential for the delivery of programs and services for students, including students with special education needs.
- Any future regulated categories will also be covered by the protocol.

Collaborative Relationships for Extended Services (CRES) Agreement (“CRES Agreement”): A formal, written agreement entered by the AMDSB with the External Agency which outlines the terms and conditions of the relationship. A template is attached at Appendix A.

CRES Advisory Committee: An internal Board committee chaired by the Superintendent of Learning Services and Mental Health and Wellbeing, or designate, and composed of System Principal(s), the Mental Health Lead, designated board management staff, and designated unionized staff representing PSSP and other paraprofessionals.

2.0 Responsibilities:

2.1 CRES Advisory Committee:

- 2.1.1 The CRES Advisory Committee (“CRES Committee”) will review this AP annually and ensure that revisions to established CRES Agreements entered thereunder will be completed and posted on the AMDSB website by January 1st of each school year.
- 2.1.2 The CRES Committee will convene at least two (2) times yearly to review current, pending and amended CRES Agreements. The CRES Committee shall monitor the progress of the CRES Services and set priorities based on needs identified in the Board Improvement and Equity Plan.
- 2.1.3 The CRES Committee will convene as required to address CRES Agreement applications, and any issues related to conflicts, disputes or issues related to the CRES Agreements or Services performed thereunder.

Annually, the CRES Committee Chair will ensure that school principals are made aware of new and existing CRES Agreements including when new CRES Agreements have been approved, details related to the Services offered, and timelines applicable to the CRES Agreements.

2.2 External Agency:

- 2.2.1 The External Agency is responsible for adhering to the CRES Agreement. Any requests to amend the CRES Agreement, the terms and conditions thereunder, including the terms related to Services provided, must be submitted for review and approval by the CRES Advisory Committee prior to any change in service.
- 2.2.2 The External Agency shall employ appropriately skilled staff to provide the Services required by the AMDSB, including, but not limited to, Regulated Health Professionals and/ or Regulated Social Service Professionals and/or staff who are supervised by Regulated Health Professionals and/or Regulated Social Service Professionals (e.g. Member of the College of Psychologists of Ontario and/or member of the Ontario College of Social Workers and Social Service Workers and/or member of the College of

Registered Psychotherapists of Ontario). The External Agency is responsible for supervising and evaluating the performance of its employees.

- 2.2.3 The External Agency shall provide evidence of comprehensive malpractice and general liability insurance, naming AMDSB as an additional insured, with limits in an amount of not less than \$2,000,000.00 per occurrence.
- 2.2.4 In consultation with AMDSB, the External Agency shall ensure the appropriate consents have been obtained to provide service and/or access to service. In cases of whole classroom support, a copy of the required letter informing parent/legal guardian(s) of the Services being offered is appended to the CRES Agreement.
- 2.2.5 The External Agency shall maintain confidentiality and security of all confidential information, personal information and personal health information collected from Board students, staff and families in accordance with applicable Board policies and procedures (including related to privacy and cyber-security) and the External Agency's professional responsibilities. Confidential and personal information will not be collected, used or disclosed except in accordance with the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), the *Education Act*, the *Personal Health Information Protection Act* (PHIPA), the *Child, Youth and Family Services Act* (CYFSA), any other applicable laws, or as required by law.
- Should the External Agency be required to disclose confidential or personal information, it shall advise the Board prior to doing so and permit the Board the opportunity to make submissions should it choose to do so.
- 2.2.6 The External Agency shall ensure that physical space that is used in the AMDSB's property is maintained in the condition it was found after each session and undertakes to clean and/or repair damage to the space or equipment that results from the External Agency's use of the space.
- 2.2.7 Upon completion of the Agreement term the External Agency will provide the CRES Advisory Committee an evaluation of the effectiveness of the service provided including: case-load evidence, anecdotal reports, feedback from service providers and service recipients.

2.3 Principal

- 2.3.1 The Principal shall outline emergency response procedures to External Agency staff when they are providing service in the school building.
- 2.3.2 The Principal is responsible for the education program. Any programming recommendations made by the External Agency are suggestions only.
- 2.3.3 The Principal is responsible for monitoring access to school premises and refusing access if the principal determines that the presence of a person is detrimental to the physical or mental well-being of the pupils.
- 2.3.4 The Principal is responsible for maintaining order and discipline in the school.

2.4 Director of Education

2.4.1 If a conflict or dispute between the External Agency and School Board is not resolved by the CRES Committee, the matter shall be referred to the Director of Education and the designated lead of the External Agency.

2.4.2 The Director of Education has authority to terminate the Agreement if the conflict or dispute cannot be resolved, at the sole discretion of the Director of Education.

3.0 CRES Agreement Eligibility

CRES Agreements may be entered in respect of interventions that involve individual students, groups of students, classroom programs or school-wide initiatives. Examples of services that may be brought forward for consideration are those that involve External Agency staff meeting with student(s) at school to provide counselling, assessments or physical, psychological, behavioural or emotional interventions/supports.

Examples of applications that would not be approved include:

- Direct services being offered in the school, by External Agency staff, during the school/work day (including lunch/nutrition breaks) that is not directly supporting curriculum and/or is a duplication of service provided by Board PSSP Staff (e.g. individual, small group or whole class sessions that constitute psycho-educational sessions, counselling, therapy, or other services provided by Board PSSP Staff, etc.).
- Those that violate the Board PSSP collective agreement.

Examples of services that do not require approval by the CRES Advisory Committee:

- One-time guest speaker that supports the Ontario Curriculum and are educational in nature; guest speakers do not provide counselling services and do not require CRES agreements.
- Agencies renting school space to provide programming outside of the school day. These agencies should be directed to the Community Use of Schools portal.

4.0 Term of Agreement

Long term agreements shall be valid between September 1st and Aug 31st of the current school year and renewed annually where applicable.

For short term agreements, the parties agree that the term of the agreement will be specified in the Collaborative Relationships for Extended Service Partnership Agreement.

**EXTERNAL COLLABORATION
AGREEMENT and APPLICATION
BETWEEN**

Avon Maitland District School Board
("AMDSB") AND

(NAME OF EXTERNAL AGENCY)

This external collaboration is a mutually beneficial arrangement between the AMDSB and (External Agency) with the goal of providing expanded opportunities to enhance student success.

TERMS OF THE Agreement:

AMDSB agrees to:

1. Maintain a CRES Advisory Committee chaired by the Superintendent of Learning Services and Mental Health and Wellbeing, or designate, and composed of senior leaders designated board management staff, and designated unionized staff representing PSSP and other paraprofessionals.
2. Monitor the progress of the Services and set priorities based on needs identified in the Board Improvement and Equity Plan.

External Agency agrees to:

3. Provide the Services ("the Services") as described in the CRES Agreement "Required Documentation." The External Agency shall employ appropriately skilled staff to provide the Services required by the AMDSB, including, but not limited to, Regulated Health Professionals and/ or Regulated Social Service Professionals and/or staff supervised by Regulated Health Professionals and/or Regulated Social Service Professionals (e.g. Member of the College of Psychologists of Ontario and/or member of the Ontario College of Social Workers and Social Service Workers and/or member of the College of Registered Psychotherapists of Ontario) .
4. The External Agency is responsible for supervising and evaluating the performance of its employees.
5. In consultation with AMDSB, the External Agency shall ensure the appropriate consents from students and/or parents/guardian(s) have been obtained to provide service and/or access to service.
 - a) In cases of whole classroom support, a copy of the required letter informing parent/legal guardian(s) of the Services being offered is appended to the CRES Agreement.
6. Without limiting the generality of paragraphs 13 and 14 of this Agreement, maintain confidentiality and security of all confidential information, personal information and personal health information collected from Board students, staff and families in accordance with

applicable Board policies and procedures (including related to privacy and cyber-security) and the External Agency's professional responsibilities. Confidential and personal information will not be collected, used or disclosed except in accordance the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), the *Education Act*, the *Personal Health Information Protection Act* (PHIPA), the *Child, Youth and Family Services Act* (CYFSA), any other applicable laws, or as required by law.

- a) The AMDSB shall be provided the opportunity to make submissions in respect of any disclosure that the External Agency may make or may be required to make.
7. Ensure that upon arrival at a school, External Agency staff register at the main office and carry a visitor's pass. Upon departure, External Agency staff are required to sign out at the main office.
8. Ensure that space that is used on Board property is maintained in the condition it was found after each session and undertakes to clean and/ or repair damage to the space or equipment that results from the External Agency's use of the space.
9. Operate in a manner consistent with AMDSB's policies and procedures including, but not limited to: AP 120 Collaborative Relationships for Extended Service Agreements; AP 160 Access to School Premises; AP 103 Management of Personal Information; AP 195 Freedom of Information and Protection of Privacy; AP 351 Code of Conduct; AP 410 Environmental Health and Safety; AP 161 BYOD (Bring your own device) - Use of personally owned computing devices on School and Board networks.
10. The External Agency acknowledges that AMDSB is subject to statutory and other requirements, including the *Education Act*, privacy legislation, and collective agreements that govern AMDSB operations.

Criminal Background Checks – Vulnerable Sector Screening (VSS):

11. The External Agency will maintain, at its cost, current VSS records of all individuals engaged in providing Services further to this Agreement. Each Party acknowledges and agrees that the safety and wellbeing of students is of paramount importance. The External Agency shall not permit any individual to be in contact or communicate with students or have access to student's personal information or personal health information where that individual's VSS result raises reasonable cause for concern relative to the safety and well-being of Services participants.

Insurance:

12. The External Agency shall acquire and keep in full force and effect throughout the Term of this Agreement, and any extension or renewal thereof, comprehensive malpractice and general liability insurance, naming AMDSB as an additional insured, with limits in an amount of not less than \$2,000,000.00 per occurrence. Upon execution of this Agreement, the External Agency shall provide evidence that such insurance is in place, unless such evidence has already been provided.

Confidentiality:

13. Further to paragraph 7, the parties agree that Confidential Information means all information or material that is of a proprietary or confidential nature, regardless of whether it is identified

as proprietary or confidential and includes personal information and personal health information about an identifiable individual.

14. Further to paragraph 7, the External Agency agrees to ensure that during and following the Term of this Agreement the confidentiality and security of all Confidential Information will be maintained by the External Agency, and that the Confidential Information will not be disclosed or used except in compliance with MFIPPA, the *Education Act*, PHIPA, the CYFSA, any other applicable laws, or as required by law.

Dispute Resolution:

15. In the event that a dispute between the parties arises, the CRES Advisory Committee and representatives of the External Agency will meet at a mutually agreeable time to resolve the dispute.
16. If the conflict between the External Agency and Board cannot be resolved by the CRES Advisory Committee, the matter will be referred to the Director of Education and the designated lead of the External Agency. If there is no resolution to the dispute, the Agreement may be terminated at the sole discretion of the Director of Education of the Avon Maitland District School Board without notice.

Payment of Fees:

17. The External Agency agrees and acknowledges that no fees will be charged for programs and/or services it provides to the students of AMDSB.

Location Requirement:

18. If a physical space within a school is required to provide the Services, the External Agency will consult with the Principal of the School to confirm and arrange a location within a school to provide the Services.
19. If applicable, the External Agency is responsible for completing the AMDSB Community Use of Schools Permit. The permit must be issued prior to commencement of the Services.
20. The External Agency agrees to leave the space in the condition it was found after each session and pay, as deemed required by the AMDSB, to clean the space and/or repair damage to the space or equipment in the space as a result of the External Agency's use of the space.
21. In the event that the AMDSB becomes unable to provide the location to the External Agency, all obligations of the AMDSB to provide space to the External Agency shall immediately cease.

Indemnification:

22. The External Agency shall defend, indemnify and hold harmless the AMDSB, its successors and assigns, its employees, officers, directors, agents, and elected officials with respect to any costs, claims, damage or damages, proceedings, applications or actions, or other liability or potential liability arising out of, or in any way related to the use of any and all school premises, CONFIDENTIAL INFORMATION, resources, equipment, and the External Agency shall assume overall responsibility and liability for, and arising in any way out of, the Service or Service activities, including liability arising directly or indirectly from the conduct of

the External Agency staff and other persons present on, or in school premises for purposes related to the Services provided.

Assignment and Subcontracting:

23. The External Agency shall not assign or sub-contract or in any way transfer this Agreement, or any of its rights, privileges, duties or obligations hereunder without the consent of the AMDSB first being obtained in writing, which consent may be arbitrarily withheld.

Applicable law:

24. This Agreement is governed by the laws of Ontario.

Evaluation:

25. Upon completion of the Agreement term the External Agency will provide the CRES Advisory Committee an evaluation of the effectiveness of the Service provided, including: case-load evidence, anecdotal reports, feedback from service providers and service recipients. The CRES Advisory Committee will make recommendations to the Director of Education or designate with regards to the cessation, continuation or modification of the External Collaboration Agreement.

Termination:

26. This Agreement may be terminated by the Director of Education or designate or External Agency by (i) mutual consent or (ii) upon thirty days written notice delivered to the other party.

27. The Director of Education may terminate this Agreement without notice if the External Agency fails to comply with any of the requirements contained in this Agreement.

28. The Director of Education may terminate this Agreement without notice in accordance with paragraph 16.

29. The AMDSB may refuse access to the school premises by the External Agency staff at any time.

Term of Agreement:

30. A CRES Agreement that is deemed a “Long Term Agreement” shall be valid between September 1st and Aug 31st of the current school year and renewed annually with prior approval of the CRES Committee in accordance with this Agreement

31. Short term agreements are any agreement that is less than one school year.

32. This CRES Agreement is a

- Long term agreement: from Sept 1, (year)_____ to Aug 31, (year) _____
- Short term agreement: from _____ to _____

Amendment of Agreement:

33. Any requests from the External Agency to amend the CRES Agreement, the terms and conditions thereunder, including the terms related to Services provided, must be submitted

for review and approval to the CRES Advisory Committee prior to any change in service being effected.

Severability:

34. The invalidity or unenforceability of any clauses of this Agreement shall not affect the validity or enforceability of any other clause of this Agreement, which shall remain in full force and effect.

Notice Delivery:

35. All notices and other communications required or permitted under this Agreement shall be in writing to the Director of Education and designated lead of the External Agency.

Addresses:

Avon Maitland District School Board, 62 Chalk St. N. Seaforth, N0K 1W0

External Agency Address:

Signed this ____ day of ____ 20____

Name of External Agency _____

Signature of External Agency designated lead _____

Date: _____

I have authority to bind the External Agency

AMDSB CRES Advisory Committee Chair signature _____

Date: _____

AMDSB Director of Education _____

Date: _____

I have authority to bind the Board

Original signed CRES Application and Agreement will be filed at the AMDSB Education Centre; a copy will be provided and retained by the External Agency

Required Documentation for approval of Collaborative Relationships for Extended Services (CRES) Partnership Agreement.

Information may be linked in one document or attached, as appropriate

- Appendix A signed and dated
- Name and Contact information for Agency Lead
- Agency Funding Source

- Program Rationale
 - Purpose: What student need(s) or service gaps will this program address?
 - Outcomes: What will successful implementation of this program look like?

- Program Description
 - Program Delivery Model: time, place, duration, format
 - Roles and Responsibilities
 - Age of Consent
 - Geographical areas served
 - Virtual or in-person service
 - Age of Participants
 - Length of Service

- Copy of Program Pamphlet/Website (if applicable)

- Agency Staff including:
 - First and last name
 - Staff email address
 - Staff phone number
 - Supervisor name
 - Police check on file
 - College registration on file, if applicable
 - Educational qualifications (eg. BA, ECE, CYW, MSW etc)

- Proof of agency insurance including malpractice and \$2 million liability

- Copy of Agency Policy and Procedure including:
 - Policy and Vulnerable Sector checks
 - College registration on file, if applicable

- Copy of MoU to be signed (if applicable)
- Copy of Program Referral form/ referral process
- Copy of Informed Consent for Service (if applicable)
- Copy of Consent to Exchange Information (if applicable)
- Copy of Consent to share/publish photos/materials on social media, website etc. (if applicable)
- Copy of Evaluation Pre/Post Surveys (if applicable)

- Agree to follow AMDSB Procedures, including but not limited to:
 - AP 160: Access to School Premises;

- AP 103: Management of Personal Information;
- AP 195: Freedom of Information and Protection of Privacy;
- AP 351: Code of Conduct;
- AP 378 Reporting and Responding to Racist and Hate-based/Biased Incidents
- AP 410: Environmental Health and Safety
- AP 161: BYOD (Bring your own device: Use of Personally Owned Computing Devices on School and Board networks
- AP 140: Technology: Responsible Use and Security
- AP 194: Privacy Breach Protocol

SERVICES CURRENTLY AVAILABLE

Current Services Provided by AMDSB

Professional Services:

- Psychological Services
- Speech-Language Services
- Mental Health Counselling and Support Counsellors

Services Currently delivered by External Agencies (January 31, 2024)

Alison Burton Audiologist

BetaMarsh

Big Brothers Big Sisters Listowel

Big Brothers Big Sisters South Bruce North Huron

Big Brothers and Big Sisters South Huron

CMHA Huron Perth Addiction and Mental Health Services

Community Counselling Centre of London (Community Counselling Exeter program)

Emily Murphy Centre

Huron Hospice

Huron Perth Centre for Children & Youth

Huron-Perth Children's Aid Society

Huron Perth Public Health

Huron Safe Homes for Youth

Huron Women's Shelter

Huron Perth Centre

Huron Settlement Workers

Jessica's House Hospice

Mental Health and Addiction Nurse (MHAN) through Home and Community Care South West (HCC)

Municipality of North Perth

Optimism Place

Perth OPP

Rural Response for Healthy Children

Salvation Army Correctional & Justice Services & Community Alternatives for Youth Goderich

Shelterlink

Stratford Pride Community Centre

Tanner Steffler Foundation

Town of St Marys

Victim Services of Huron County

YMCA of Three Rivers

YMCA Greater Toronto

Stride Rehab

Women's House Grey Bruce

**EXTERNAL COLLABORATION
AGREEMENT and APPLICATION
BETWEEN**

Huron-Perth Catholic District
School Board (“HPCDSB”)

AND

(NAME OF EXTERNAL AGENCY)

This external collaboration is a mutually beneficial arrangement between the HPCDSB and (External Agency) with the goal of providing expanded opportunities to enhance student success.

TERMS OF THE Agreement: HPCDSB agrees to:

1. Maintain a Collaborative Relationships for Extended Services (CRES) Advisory Committee chaired by the Superintendent of Education or designate, and composed of senior leaders designated board management staff, and other staff as appropriate.
2. Monitor the progress of the services and set priorities based on needs identified in the Board Improvement and Equity Action Plan.

External Agency agrees to:

3. Provide the Services (“the Services”) as described in the CRES Agreement “Required Documentation.” The External Agency shall employ appropriately skilled staff to provide the Services required by the HPCDSB, including, but not limited to, Regulated Health Professionals and/ or Regulated Social Service Professionals and/or staff supervised by Regulated Health Professionals and/or Regulated Social Service Professionals (e.g. Member of the College of Psychologists of Ontario and/or member of the Ontario College of Social Workers and Social Service Workers and/or member of the College of Registered Psychotherapists of Ontario) .
4. The External Agency is responsible for supervising and evaluating the performance of its employees.
5. The external agency will ensure that services provided are consistent with the Board's Mission, Vision, Strategic Plan and Catholic Teachings.
6. In consultation with HPCDSB, the External Agency shall ensure the appropriate consents from students and/or parents/guardian(s) have been obtained to provide service and/or access to service.
 - a. In cases of whole classroom support, a copy of the required letter informing parent/legal guardian(s) of the Services being offered is appended to the CRES Agreement. This must outline a description of the service and a timeframe for the service delivery.
 - The external service provider understands that these classroom supports will be considered with a Catholic lens to ensure the materials complement the

Religion and Family Life Curriculum and supplement the Catholic Social Teachings that foster the growth of the whole student.

7. Without limiting the generality of paragraphs 13,14 & 15 of this Agreement, maintain confidentiality and security of all confidential information, personal information and personal health information collected from Board students, staff and families in accordance with applicable Board policies and procedures (including related to privacy and cyber-security) and the External Agency's professional responsibilities. Confidential and personal information will not be collected, used or disclosed except in accordance the *Municipal Freedom of Information and Protection of Privacy Act* (MFIPPA), the *Education Act*, the *Personal Health Information Protection Act* (PHIPA), the *Child, Youth and Family Services Act* (CYFSA), any other applicable laws, or as required by law.
 - a. The HPCDSB shall be provided the opportunity to make submissions in respect of any disclosure that the External Agency may make or may be required to make.
 - b. Where deemed necessary by the Board, the External Agency shall provide a signed Privacy and Information Security Agreement and ensure adequate safeguards are in place to protect the security of all private and confidential information.
8. Ensure that upon arrival at a school, External Agency staff register at the main office and carry a visitor's pass. Upon departure, External Agency staff are required to sign out at the main office.
9. Ensure that space that is used on Board property is maintained in the condition it was found after each session and undertakes to clean and/ or repair damage to the space or equipment that results from the External Agency's use of the space.
10. Operate in a manner consistent with HPCDSB's policies and procedures including, but not limited to:
 - The Collaborative Relationships for Extended Service Agreements
 - P 2.1.8. Access to School Premises
 - P 3.4.11. Freedom of Information and Protection of Privacy
 - P 3.4.16 Violence in the Workplace
 - P 3.1.1. Health and Safety
 - P 3.2.1. Information and Communications Technology
11. The External Agency acknowledges that HPCDSB is subject to statutory and other requirements, including the *Education Act*, privacy legislation, and collective agreements that govern HPCDSB operations.

Criminal Background Checks – Vulnerable Sector Screening (VSS):

12. The External Agency will maintain, at its cost, current VSS records of all individuals engaged in providing Services further to this Agreement. Each Party acknowledges and agrees that the safety and wellbeing of students is of paramount importance. The External Agency shall not permit any individual to be in contact or communicate with students or have access to student's personal information or personal health information where that individual's VSS result raises reasonable cause for concern relative to the safety and well-being of Service participants.

Insurance:

13. The External Agency shall acquire and keep in full force and effect throughout the Term of

this Agreement, and any extension or renewal thereof, provide evidence of Professional Liability or Medical Malpractice with limits in an amount of not less than \$2,000,000.00 per occurrence. Additionally, evidence of a Commercial/Comprehensive General Liability, naming HPCDSB as an additional insured, with limits in an amount of not less than \$2,000,000.00 per occurrence. Upon execution of this Agreement, the External Agency shall provide evidence that such insurance is in place, unless such evidence has already been provided.

14.

15. Unless confirmed as an Independent Operator, the External Agency shall provide a valid clearance certificate of Workplace Safety and Insurance Board of Ontario (WSIB) coverage to the Board. Any External Agency who wishes to be considered as an Independent Operator is also required to sign the Statement of Exemption from Ontario WSIB and submit to the Board.

Confidentiality:

16. Further to paragraph 6, the parties agree that Confidential Information means all information or material that is of a proprietary or confidential nature, regardless of whether it is identified as proprietary or confidential and includes personal information and personal health information about an identifiable individual.

17. Further to paragraph 6, the External Agency agrees to ensure that during and following the Term of this Agreement the confidentiality and security of all Confidential Information will be maintained by the External Agency, and that the Confidential Information will not be disclosed or used except in compliance with MFIPPA, the *Education Act*, PHIPA, the CYFSA, any other applicable laws, or as required by law.

Dispute Resolution:

18. In the event that a dispute between the parties arises, the CRES Advisory Committee and representatives of the External Agency will meet at a mutually agreeable time to resolve the dispute.

19. If the conflict between the External Agency and Board cannot be resolved by the CRES Advisory Committee, the matter will be referred to the Director of Education and the designated lead of the External Agency. If there is no resolution to the dispute, the Agreement may be terminated at the sole discretion of the Director of Education of the Huron-Perth Catholic District School Board without notice.

Payment of Fees:

20. The External Agency agrees and acknowledges that no fees will be charged for programs and/or services it provides to the students of HPCDSB.

Location Requirement:

21. If a physical space within a school is required to provide the Services, the External Agency will consult with the Principal of the School to confirm and arrange a location within a school to provide the Services.

22. If applicable, the External Agency is responsible for completing the HPCDSB Community Use of Schools Permit. The permit must be issued prior to commencement of the Services.

23. The External Agency agrees to leave the space in the condition it was found after each session and pay, as deemed required by the HPCDSB, to clean the space and/or repair damage to the space or equipment in the space as a result of the External Agency's use

of the space.

24. In the event that the HPCDSB becomes unable to provide the location to the External Agency, all obligations of the HPCDSB to provide space to the External Agency shall immediately cease.

Indemnification:

25. The External Agency shall defend, indemnify and hold harmless the HPCDSB, its successors and assigns, its employees, officers, directors, agents, and elected officials with respect to any costs, claims, damage or damages, proceedings, applications or actions, or other liability or potential liability arising out of, or in any way related to the use of any and all school premises, confidential information, resources, equipment, and the External Agency shall assume overall responsibility and liability for, and arising in any way out of, the Service or Service activities, including liability arising directly or indirectly from the conduct of the External Agency staff and other persons present on, or in school premises for purposes related to the Services provided.

Assignment and Subcontracting:

26. The External Agency shall not assign or sub-contract or in any way transfer this Agreement, or any of its rights, privileges, duties or obligations hereunder without the consent of the HPCDSB first being obtained in writing, which consent may be arbitrarily withheld.

Applicable law:

27. This Agreement is governed by the laws of Ontario.

Evaluation:

28. Upon completion of the Agreement term the External Agency will provide the CRES Advisory Committee an evaluation of the effectiveness of the Service provided, including: caseload evidence, anecdotal reports, feedback from service providers and service recipients, as well as reviewing the service offered through a Catholic lens. The CRES Advisory Committee will make recommendations to the Director of Education or designate with regards to the cessation, continuation or modification of the External Collaboration Agreement.

Termination:

29. This Agreement may be terminated by the Director of Education or designate or External Agency by (i) mutual consent or (ii) upon thirty days written notice delivered to the other party.
30. The Director of Education may terminate this Agreement without notice if the External Agency fails to comply with any of the requirements contained in this Agreement.
31. The Director of Education may terminate this Agreement without notice in accordance with paragraph 16.
32. The HPCDSB may refuse access to the school premises by the External Agency staff at any time.

Term of Agreement:

33. A CRES Agreement that is deemed a "Long Term Agreement" shall be valid between

September 1st and Aug 31st of the current school year and renewed annually with prior approval of the CRES Committee in accordance with this Agreement

34. Short term agreements are any agreement that is less than one school year.

35. This CRES Agreement is a

- Long term agreement: from Sept 1, (year)_____to Aug 31, (year) _____
- Short term agreement: from_____to _____

Amendment of Agreement:

36. Any requests from the External Agency to amend the CRES Agreement, the terms and conditions thereunder, including the terms related to Services provided, must be submitted for review and approval to the CRES Advisory Committee prior to any change in service being effected.

Severability:

37. The invalidity or unenforceability of any clauses of this Agreement shall not affect the validity or enforceability of any other clause of this Agreement, which shall remain in full force and effect.

Notice Delivery:

38. All notices and other communications required or permitted under this Agreement shall be in writing to the Director of Education and designated lead of the External Agency.

Addresses:

Huron-Perth Catholic District School Board: 3927 Perth Road 180, PO Box 70
Dublin, ON N0K1E0

External Agency Address:

Signed this _____ day of _____ 20_____

Name of External Agency _____

Signature of External Agency _____

Date: _____

I have authority to bind the External Agency

HPCDSB Director of Education

Date: _____

I have authority to bind the Board

[Required Documentation](#)

Original signed CRES Application and Agreement will be filed at the HPCDSB Catholic Education Centre; a copy will be provided and retained by the External Agency.

FORMAL REPORT

To:	Mayor Strathdee and Members of Council
Prepared by:	Mark Stone, Planner
Date of Meeting:	11 June 2024
Subject:	DEV 24-2024 Application for Zoning By-law Amendment (Z01-2024) for 428 Queen Street West by Baker Planning Group Inc. for Pol Quality Homes and Joan Lang

PURPOSE

This report has been prepared in conjunction with the statutory public meeting for the above referenced Application. The purpose of this report is to: provide an overview of the Application; consider information and comments provided by the Applicant, the Planning Advisory Committee, Town departments, agencies and the public; and consider recommendation(s) with respect to the further processing of the Application.

RECOMMENDATION

THAT DEV 24-2024 Application for Zoning By-law Amendment (Z01-2024) for 428 Queen Street West by Baker Planning Group Inc. for Pol Quality Homes and Joan Lang report be received; and

THAT Staff report back to Council through the preparation of a comprehensive report outlining staff recommendations on the disposition of this Application following an assessment of all internal department, external agency, public and Council comments.

BACKGROUND

The 0.46 hectare (1.14 acre) subject property has 45.25 metres of frontage along the south side of Queen Street West, and is located approximately 60 metres west of Pelissier Street as shown on the General Location Map (see Attachment 1 of this report). There is an existing single detached dwelling and accessory buildings on the property.

Land uses surrounding the subject lands include:

- existing low density residential to the west and south;
- a recently approved mixed use development (commercial and apartment units) at the southeast corner of Queen Street West and Pelissier Street (446 Queen Street West);
- land designated in the Official Plan for future residential development to the south and east;
- Queen Street West and existing commercial uses to the north; and,
- existing commercial uses to the east.

As noted in the Planning Justification Report (PJR) submitted in support of the Application, “the Site generally consists of a manicured lawn, with perimeter trees along the eastern, western, and southern property lines” and “there is a small cluster of trees and shrubs in the central area of the Site, along with boundary trees along the property line”.

The subject lands are designated Residential in the Town of St. Marys Official Plan and zoned Residential Zone Two (R2) and Residential Zone Two (R2-H₂) in the Town of St. Marys Zoning By-law Z1-1997, as amended. The Applicant is proposing to develop the subject property in a multi-unit housing form, in keeping with a stacked townhouse development and/or low-rise apartments with 35 dwelling units in three separate buildings and consisting of:

- five, one-bedroom units;
- five, one-bedroom + den units; and
- 25, two-bedroom units.

In the PJR it is also noted that each dwelling unit will have a separate and independent entrance to the exterior and the overall height of the proposed buildings is 2 and a half storeys (8.15 metres). A copy of the proposed Site Plan is provided in Attachment 2. The following 3D renderings are from the PJR.

Image 1: Proposed 3D Rendering of the Development



Source: Pol Quality Homes, 2024

Image 2: Proposed 3D Rendering of Building C



Source: Pol Quality Homes, 2024

Vehicular access to the proposed development is to be provided by a driveway from Queen Street West. A total of 46 on-site parking spaces are proposed (37 spaces for occupants and nine visitor spaces which includes two accessible spaces) along with eight bicycle parking spaces. Two common amenity areas are also shown on the east side of Building B and on the south side of Building C, and amenity areas are also provided through balconies.

The applicant has indicated that a Site Plan Application will be submitted in the near future.

The purpose and effect of the Zoning By-law Amendment Application is to change the zoning of the subject property from “Residential Zone Two (R2)” and “Residential Zone Two (R2-H₂)” to “Residential Zone Five (R5-XX)” to:

- recognize the proposed multi-unit form of housing, which includes components of both stacked townhouses and low-rise apartments; and,
- develop site-specific zoning provisions to recognize the characteristics of the Site and the form of development proposed.

Supporting studies and plans submitted with the Application include:

- Planning Justification Report, prepared by Baker Planning Group, dated April 2024;
- Draft amending Zoning By-law, prepared by Baker Planning Group;
- Site Plan, prepared by R. Ritz Architects and dated April 12, 2024;
- Building Elevations, prepared by R. Ritz Architects and dated April 12, 2024;
- Floor Elevations (Draft);
- Functional Servicing Letter, prepared by MTE and dated April 10, 2024;
- Site Grading Plan, prepared by MTE and dated April 10, 2024;

- Site Servicing & Erosion and Sediment Control Plan, prepared by MTE and dated April 10, 2024;
- Site Details & Notes, prepared by MTE and dated April 10, 2024;
- Sanitary Drainage Area Plan, prepared by MTE and dated April 10, 2024; and,
- Traffic Impact Study Report, prepared by TraffMobility, dated April 15, 2024.

A copy of the Planning Justification Report (PJR) is provided as Attachment 4 of this report. The submission documents can be accessed by going to the Town’s Current Planning / Development Applications webpage using the following link:

<https://www.townofstmarys.com/en/current-planning---development-applications.aspx#>

On May 21, 2024, the Planning Advisory Committee (“PAC”) reviewed the Application as presented in Formal Report DEV 22-2024. After considering the Application submission and public and staff comments, the PAC endorsed the Application, in principle, and that Council proceed with a public meeting to consider the Application.

REPORT

PLANNING CONTEXT

Provincial Policy Statement

Section 3 of the Planning Act requires that decisions affecting planning matters shall be consistent with policy statements issued under the Act. The Provincial Policy Statement (PPS) was issued under the authority of Section 3 of the Act. The PPS provides policy direction on matters of provincial interest related to land use planning and development, including the protection of resources of provincial interest, public health and safety, and the quality of the natural and built environment.

The PJR provides a detailed analysis with respect to the development proposal and relevant policies of the PPS (refer to pages 13 and 14 of the PJR). The proposed development represents a compact form of development that generally uses existing infrastructure including Queen Street West and existing water and sewer infrastructure, and will contribute to the provision of a range and mix of residential housing in the Town.

Official Plan

The subject lands are designated Residential in the Town Official Plan. The PJR provides a detailed analysis with respect to the development proposal and relevant policies of the Official Plan (refer to pages 15 to 18 of the PJR).

The primary use of land in the Residential designation is for a range of dwelling types from single detached dwellings to walk-up type apartments, parks and open spaces, and institutional uses subject to the policies of the Plan. Goal 2.1.1 of the Official Plan states that “residential areas in St. Marys shall provide a range of housing accommodation suitable for all age groups and household incomes”.

The primary use of land in the Residential designation is for a range of dwelling types from single detached dwellings to walk-up type apartments, parks and open spaces, and institutional uses subject to the policies of the Plan. Residential Objectives are provided in Section 3.1.1 as follows:

- “3.1.1.1 To encourage the provision of an adequate supply and choice of housing for the existing and future residents of St. Marys in terms of quality, type, location and cost.
- 3.1.1.2 To promote creativity and innovation in new residential development in accordance with current design and planning principles and constantly evolving energy-saving measures and construction techniques.
- 3.1.1.3 To maintain and improve the existing housing stock and character of residential areas.

- 3.1.1.4 To prevent the location of non-compatible land uses in residential areas.
- 3.1.1.5 To continue to provide an attractive and enjoyable living environment within the Town.
- 3.1.1.6 To promote housing for Senior Citizens, the handicapped and low income families.
- 3.1.1.7 To encourage and promote additional housing through intensification and redevelopment.
- 3.1.1.8 To encourage a diversification and inter mixing of different housing types and forms.
- 3.1.1.9 To maintain at least a 10 year supply of land that is designated and available for residential uses and land with servicing capacity to provide a 3 year supply of residential units zoned to facilitate residential intensification and redevelopment, and in draft and registered plans”.

Section 3.1.2.3 of the Official Plan states the following:

“Residential infilling type development is generally permitted throughout the “Residential” designation where such development is in keeping with the attributes of the neighbourhood in terms of building type, building form, and spatial separation. When evaluating the attributes of the neighbourhood, regard shall be given to lot fabric (i.e., area, frontage, and depth), and built form (i.e., setbacks, massing, scale, and height). In cases where one or more of the existing zone provisions are not met, an amendment or a minor variance to the zone provisions may be considered to permit the proposed development provided that the spirit of this Section is maintained.”

Section 3.1.2.4 of the Official Plan states that “Council will favour residential intensification and redevelopment over new green land residential development as a means of providing affordability and efficiencies in infrastructure and public services”.

Section 3.1.2.5 of the Official Plan states that “when reviewing development or redevelopment proposals, Council shall consider following density targets:

- a) Single-detached dwellings 10-15 units per hectare;
- b) Semi-detached, duplex dwellings 15-25 units per hectare;
- c) Townhouse dwellings 25-40 units per hectare;
- d) Low rise apartments 40-75 units per hectare.

Council may moderately increase or decrease these densities dependent upon specific site circumstances, provision of on-site amenities, and capabilities of municipal servicing systems to accommodate any increase. Council will favour those developments with a mixture of lower and higher densities of development over those consisting of only low densities of development”. Section 3.1.2.5 does not provide a specific density target for stacked townhouses however, there is an overall maximum density of 75 units per hectare identified in this Section and in Section 3.1.2.7 c). The proposed density of the development is 76 units per hectare however, the applicant cites Section 7.24 of the Implementation and Interpretation section of the Official Plan as follows:

“7.24.2 FIGURES

It is intended that all figures and quantities contained in this Plan are to be considered as approximate and not rigid. Reasonable variances (minor) from any of the figures or quantities will be permissible providing the intent and spirit of the Plan are preserved”.

It is suggested that this is a reasonable and minor variance and the intent and spirit of the Official Plan are preserved, as demonstrated through conformity with Section 3.1.2.7 discussed below.

Section 3.1.2.7 of the Official Plan states that “in reviewing proposals for residential development with a net density of more than 18 units per hectare, Council shall consider the impact on municipal capacity,

hard services and utilities including sanitary sewer, municipal water supply, storm drainage, service utilities and roadways. Council shall take the following into account prior to enacting an amendment to the Zoning By-law:

- a) That the development will not involve a building in excess of three full stories above average finished grade and designed to be in keeping with the general character of the area;
- b) That the physical condition of land proposed for development will not present a hazard to buildings structures and residents;
- c) That the net density of development shall not exceed 75 units per hectare;
- d) That the development is serviced by municipal water supply and sewage disposal facilities and that the design capacity of these services can accommodate such development;
- e) That the proposed development is within 100 metres of an arterial or collector road as defined in Schedule "B" of this Plan; and
- f) That sufficient on-site parking is provided and adequate buffering, screening or separation distance is provided to protect adjacent areas of lower density housing".

The PJR responds to the policies of Section 3.1.2.7 of the Official Plan as follows:

- "The proposed overall density can be achieved while providing for safe vehicular and pedestrian access, on-site amenity areas, landscaping, snow storage, accessible parking and screening/fencing.
- The Site is located in a mixed-use area with low-density residential, commercial uses and proposed medium-density residential. The surrounding area is characterized by a range of lot sizes, building typologies and architectural style. The character of the area, in combination with the overall larger size of the Site and frontage on an arterial road, provides an opportunity to intensify the land and contribute to a greater range in housing types.
- The proposed streetscape design on Queen Street West is in keeping with recently approved development and will contribute to a new consistent streetwall. The intent is to bring the buildings closer to Queen Street West to provide strong pedestrian connects and an active street frontage.
- The proposed rear and side yard setbacks are in keeping with the current requirements in the Zoning By-law, and meet or exceed required setbacks for the adjacent residential properties.
- The proposed building height is in keeping with permitted building heights in the adjacent low-density residential area, at 8.15 metres and does not exceed 3 storeys.
- A combination of solid fencing and landscaping is proposed to screen the development from surrounding low-density uses.
- The Proposed Development can be serviced through existing infrastructure on Queen Street West.
- The site design provides for the retention of the majority of existing trees along the property boundaries, with the exception of a small cluster of trees/shrubs that will be required to be removed. The retention of these trees will assist in providing screening and maintaining privacy.
- The Traffic Impact Study and Parking Justification Report confirmed the safe and accessible access is available and the proposed off-street parking meets parking demand in the community".

Section 3.1.3.8 of the Official Plan states that "proponents of townhouse and apartment developments are encouraged to provide on-site recreational facilities in keeping with the proposed development".

The proposed site plan shows amenity areas with additional details regarding planned usage and facilities to be provided later.

Queen Street is classified as an arterial road according to the Official Plan. Section 5.3.1.1 of the Official Plan states that “the right-of-way for Arterial Roads is generally 30 metres, with direct access limited and on street parking prohibited, except within the Downtown Core. Generally, sidewalks are provided on both sides of the road”. Through the pre-consultation process, the Town’s Public Works Department has determined that the owner will be required to convey a 5 metre wide parcel of land along the Queen Street West frontage of the property to the Town for future road allowance purposes.

Zoning By-law

The subject property is zoned “Residential Zone Two (R2)” and “Residential Zone Two (R2-H2)”. The R2 Zone permits: single detached dwellings; bed and breakfast establishments; home occupations; accessory uses, buildings and structures; and public parks. The ‘H2’ is a holding provision that is to be removed when a subdivision or development agreement is entered into for the lands “to ensure orderly development of lands and the adequate provision of municipal services”.

The purpose and effect of the Zoning By-law Amendment Application is to change the zoning of the subject property to “Residential Zone Five (R5-XX)”. The R5 Zone permits: apartment dwellings; a boarding or lodging house dwelling; a converted dwelling; row or townhouse dwellings; public park; and accessory uses, buildings and structures. The proposed R5-XX zoning would permit stacked townhouse dwelling units as an additional permitted use and provide the following definition for ‘stacked townhouse dwelling units’:

“A building containing 3 or more dwelling units, with each dwelling unit may be separated either or both vertically and horizontally, and may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule, or landing.”

In addition, the following site-specific provision is proposed:

“Where lands have been comprehensively planned and are subject to an approved site plan and associated agreement pursuant to Section 41 of the *Planning Act*, any zoning deficiencies resulting from the creation of condominium units, shall be deemed to comply with the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines existing prior to any condominium plan registration are complied with.”

The following chart lists the remaining proposed R5-XX site-specific regulations for stacked townhouse dwelling units, and compares these to the existing R5 Zone regulations for row or townhouse dwellings, and apartment dwellings.

Zoning By-law Regulation	R5 Zone		Proposed R5-XX
	Row or Townhouse	Apartment	Stacked Townhouses
Minimum lot frontage (m)	27.5 for first 3 units + 6.0 for each additional unit	30.5	25
Minimum front yard (m)	6	6	0.5
Minimum rear yard (m)	6	12	4.5
Minimum interior side yard (m)	4.5	6	4.0
Minimum distance between exterior walls of separate	n/a	21	10

Zoning By-law Regulation	R5 Zone		Proposed R5-XX
	Row or Townhouse	Apartment	Stacked Townhouses
buildings facing each other, where at least one exterior wall contains a window to habitable room (m)			
Minimum distance between two end walls of different buildings (m)	n/a	10.5, 7.5 or 4.5	5
Maximum lot coverage (%)	40	35	35*
Maximum density (units per hectare)	50	n/a	76*
Minimum landscaped open space (%)	25	35	30*
Maximum building height (m)	10.5	13.5	12
Minimum off-street parking (spaces per unit)	2 plus 0.25 visitor per dwelling unit	One Bedroom: 1 + 0.25 visitor Two Bedroom: 1.5 + 0.25 visitor	1.3
Required planting strip where an interior side or rear lot line of a lot abuts a lot that is: in a Residential Zone or a Residential (-H) Holding Zone, or used for residential purposes	<p>Minimum width – 1.5 metres</p> <p>Minimum height of trees, evergreens, and shrubs at the time of planting - 1.0 metres</p> <p>Must be of such a species or type so as to achieve a minimum height of 2.0 metres at maturity</p> <p>Alternative: fence or wall with minimum height of 2.0 metres</p>		<p>Planting strip shall constitute one of the following or combination thereof:</p> <p>Minimum width – 1.0 metre Minimum height of trees, evergreens, and shrubs at the time of planting - 1.0 metres</p> <p>Must be of such a species or type so as to achieve a minimum height of 2.0 metres at maturity</p> <p><u>and/or</u></p> <p>existing trees and/or shrubs</p> <p><u>and/or</u></p> <p>solid wood fence with a minimum of 2.0 metres in height</p>
Minimum distance between ingress/egress driveway and side or rear lot line (m)	1.5		1

Zoning By-law Regulation	R5 Zone		Proposed R5-XX
	Row or Townhouse	Apartment	Stacked Townhouses
Unenclosed porches, steps and patios	Steps, and patios, whether they be covered or uncovered, and unenclosed porches and verandas may project into any required front yard, rear yard, exterior side yard, a distance of not more than 1.8 metres, provided that in the case of steps, patios, porches, and verandas, the floor level of such structures are not greater than 1.2 metres above the finished grade level adjacent to such structure.		Steps, and patios, whether they be covered or uncovered, and unenclosed porches and verandas may project into any required front yard, side yard, and rear yard, a distance of not more than 1.8 metres.

* based on the size and dimensions of the lot at the timing of enactment of the site-specific Zoning By-law Amendment

In the PJR it states that the site-specific regulations are required and appropriate as follows:

- The reduced front yard setback is appropriate in the context of the required 5.0 metre road widening on Queen Street West and the general direction through recent planning approvals to provide a strong street edge with buildings and landscaping.
- A combination of screening methods is proposed to ensure there are opportunities to retain the existing tree cover along the property lines, and utilize fencing and/or new planting when additional screening is required.
- The proposed off-street parking rates reflects the surveyed demand for parking documented in the Town by TraffMobility and is determined to be appropriate for the type and size of dwelling units proposed.
- Building setbacks internal to the development and to external property lines have been proposed that meet the intent of existing provisions in the R5 Zone for privacy, spacing and compliance with the Ontario Building Code.
- A site-specific provision is proposed to provide the ability to allow for a phase development and registration of the Plan of Condominium, provided that the development has been comprehensively designed and approved by the Township and the appropriate securities and site plan agreement can be completed.

COMMUNICATIONS

Notice of this meeting was circulated by first class mail to all landowners within 120 metres of the subject property and any agencies, and signage was posted on the property in accordance with the Planning Act.

The following is a summary of comments received thus far.

Department/ Agency	Date	Summary of Comments
Upper Thames River Conservation Authority	May 9, 2024	<ul style="list-style-type: none"> • The subject lands are not affected by any regulations (Ontario Regulation 41/24) made pursuant to Section 28 of the Conservation Authorities Act. • Drinking Water Source Protection: The subject lands are not located within a vulnerable area.

Department/ Agency	Date	Summary of Comments
		<ul style="list-style-type: none"> The UTRCA has no objections or requirements for this application.
Town Public Works	May 31, 2024	<ul style="list-style-type: none"> Public Works confirms there is capacity in the wastewater treatment system to accommodate the development. The FSR shall be updated by the proponent to include a sanitary capacity system assessment of the localized downstream collection system. Public Works is not in favour of the proposed sanitary servicing layout proposed in the submission. It is preferred and expected that a single service is required for the development. Further site investigation to determine exact existing field conditions shall be undertaken prior to final servicing layout approval. Public Works believes there is capacity in the water distribution supply and distribution system to accommodate the development. A flow test is necessary to verify the system pressure for fire flow demands. Public Works is not in favour of the proposed water supply layout in the submission. It is preferred and expected that a single service is required for the development. The report considered the potential conflict with the 10 m offset entrance from the car dealership across the road. It concluded that operational and safety issues are not expected because of the low turning volumes and the available sight lines. As such, we are satisfied that the safety issues relating to the offset driveways have been considered and are acceptable. The report found that no external upgrades of the Town's road network are necessary to accommodate the development. Public Works are satisfied with the conclusions of the report. It is noted that the proposed side is elevated from adjacent properties. The development should consider an approach for addressing external nuisance stormwater flows to the property from adjacent properties that are likely to result in ponding post construction if not addressed.

Notwithstanding the comments above with respect to the water and sanitary sewer layouts and stormwater management, Public Works Department staff have indicated that these comments can be addressed through the future site plan application.

Comments have been received from Mr. Chris West (in writing and verbally at the Planning Advisory Committee meeting). The following is a summary of comments and concerns from Mr. West:

- Concerns with major changes to the Town's by-laws
- 1.3 parking spaces per unit seems insufficient
- Safety concerns with additional traffic

- There will be additional parking on Pelissier and traffic at the Pelissier/Queen intersection and this will have potential safety impacts with respect to other vehicles and pedestrians
- Reducing the number of units per building would reduce parking requirements and allow more greenspace
- Questioning need for additional development given other areas that have not yet been developed
- Suggesting that the area is not planned for higher densities.
- Need to mitigate impacts on existing residential (e.g. noise, privacy, etc.)
- No place for children to play in the area
- Inadequate snow storage, garbage, etc.

Other verbal comments from public attendees including:

- Fred DeLong, 31 Pelissier Street, asked if there will there be a fence around the property.
- Rhonda DeLong, 31 Pelissier, asked for details regarding proposed garbage containers.
- Scott Graham, 468 Queen Street West, asked for the definition of an affordable unit and if overflow parking would be permitted.
- Brent Dundas, 21 Pelissier Street, stated that the Town should confirm ownership of the former Jones Street Road allowance to the south of the Lang property, and that a fence would be appreciated between the subject property and those abutting Pelissier Street.
- Bob Darling, 44 Pelissier Street, stated that it appears the property south of the subject property may own a portion of the former Jones Street West road allowance, and also raised concern that there is only one egress from to Queen Street West.

PRELIMINARY DISCUSSION AND COMMENTS

Site and Building Design

The detailed review of the design of the site and buildings will be completed at the Site Plan approval stage however, staff provides the following preliminary comments:

- Pleased to see a proposed internal walkway system and connection to Queen Street West on the west side of Building A, but a second pedestrian connection south of Building A is also recommended;
- A public comment was received that there are no play areas for children. The Town of St. Marys Recreation and Leisure Master Plan (2017) establishes the Town's standard for access to green space at P. 116 *"Playgrounds are best suited in neighbourhood parks that are within walking distance of residential areas to maximize access, particularly as children and some young families may not have access to a vehicle. Best practices indicate that playgrounds should be located within 800 metres of all residential areas, which generally equates to a 10 minute walk."*

The nearest park to this site is West Ward Park. Staff have calculated the walking distance to be 600 m, or a 5 – 7 minute walk from the site, which meets the Tonw's greenspace access standards.

In addition, large outdoor amenity areas are provided next to Buildings B and C. It is noted that there does not appear to be a similar outdoor amenity area for Building A. Additional details regarding the use, design and ownership of proposed amenity areas will be required at the Site Plan Approval stage.

- Two accessible parking spaces are provided in front of Building C but none are provided for Buildings A and B; and,
- Public comments were received with respect to the need to mitigate impacts on existing residential. In accordance with the policies of the Official Plan, the attributes of the neighbourhood in terms of building type, building form, and spatial separation are being considered in the review of the site and building design, along with proposed separation distances through zoning and buffering through landscaping, retention of existing trees and fencing.
- Public comments were received suggesting that there is inadequate snow and garbage storage on the site. Snow storage and garbage are shown on the proposed site plan and additional comments will be provided as the proposed development progresses into the Site Plan Approval stage.

Parking

The applicant is proposing a reduction to the parking standard in the Zoning By-law. The current parking requirements for apartment units in the Zoning By-law are as follows:

- 1 bedroom – 1 space + 0.25 visitor per unit
- 2 bedroom – 1.5 spaces + 0.25 visitor per unit

Based on the above standard, a total of 57 parking spaces are required however a total of 46 spaces are proposed (37 spaces for occupants and nine visitor spaces which includes two accessible spaces) based on a proposed parking rate of 1.3 spaces per units. In support of the proposed reduction, the applicant had a Parking Utilization Survey completed as part of the TraffMobility Traffic Impact Study (TIS). The Survey analyzed two proxy sites, 20 Southvale Road and 22 St. Andrews Street North, to assist in determining if the proposed parking supply for 428 Queen Street East will meet expected parking demand.

The parking supply rates for the proxy sites are 1.51 spaces per unit (59 spaces for 39 units) at 20 Southvale Road and 1.24 spaces per unit (52 spaces for 42 units) at 22 St. Andrews Street North. The TIS indicates that highest demand for the proxy sites was as follows:

- 20 Southvale Road - occurred at 6:00 pm and from 7:45 pm to 8:30 pm where a total of 40 cars were recorded resulting in a parking utilization of 68%
- 22 St. Andrews Street North - occurred between 4:45 pm and 5:00 pm where a total of 29 cars were recorded resulting in a parking utilization of 56%

Based on the parking utilization surveys at the two proxy sites and analysis results discussed above, it was concluded in the TIS “that the proposed parking supply for the proposed development will meet the expected parking demand”.

The TIS also speaks to Transportation Demand Management (TDM) which “is a set of strategies and initiatives used to improve transportation efficiency (i.e., reduce congestion), encourage use of alternative travel modes, and reduce reliance on single vehicle occupancy”. And while the TIS concluded that the proposed parking for this Application is expected to accommodate projected parking, TDM measures can further reduce the parking demand for the proposed development. For example, unbundling of parking spaces from the sale of the dwelling units “allows prospective residents to consider limiting the number of parking spaces they need, and this reduces the parking demand at the proposed development”.

For reference, the following table summarizes reductions to parking requirements for similar types of development approved in St. Marys over the past three years.

Address (Location)	By-law #	Approved Zoning	Approved Parking Standard
17 Peel Street South (southeast corner of Peel and Queen Street East)	Z147-2021	Zoned to R5-16 to permit a total of 8 apartment units	1.25 per apartment dwelling unit
178 Queen Street West (southwest corner of Queen and Ontario South)	Z152-2022	Zoned to R4-15 to permit conversion of existing building to permit a total of 3 dwelling units	1.25 per converted dwelling unit
769 Queen Street East (St. Marys Golf and Country Club)	Z155-2023	Zoned to OS-6 to permit 21 short term accommodation units	1.25 per short term accommodation unit

Traffic Safety Concerns

There have been some public comments respecting potential safety concerns resulting from increased traffic. The TIS submitted in support of the Application concluded that:

- All movements at the study intersections are expected to operate with acceptable level of service and residual capacity during the weekday AM and weekday PM peak hours under future conditions and no mitigation measures are required.
- The proposed site access meet the minimum sight distance requirements.
- The proposed site access will be offset approximately 10 metres from the car dealership west access at 425 Queen Street West. However, this minor offset is not expected to result in operational of safety issues given the low turning movement volumes at this intersection and no access sightline issues.

Affordable Housing

The applicant has agreed to provide two affordable housing units at a current affordable rate of \$1,280 per month, and to enter into an agreement with the Town to set out certain terms and requirements including, but not limited to:

- agreeing to an annual adjustment of rent, based on the Residential Tenancies Act and the rates set by the Province; and,
- registration of the agreement on title for a period of 30 years.

Staff is finalizing a template housing contribution agreement that will be presented to Council in the near future.

Former Jones Street Road Allowance Comments

Staff have reviewed Town plans on file. Plan 235 was created in 1913. This plan indicates that the Jones Street road allowance between Pelissier and Carral to have been closed and conveyed to private property ownership (save and except 37 Grahlyn Avenue, which is owned by the Town). Any inconsistencies that may exist with property lines are a private property matter to be resolved by the applicant, their surveyor and their legal counsel.

FINANCIAL IMPLICATIONS

None known at this time.

SUMMARY

It is recommended that Staff report back to Council through the preparation of a comprehensive report outlining staff recommendations on the disposition of this Application following an assessment of all internal department, external agency, public and Council comments.

OTHERS CONSULTED

Town of St. Marys Development Team

Report Approval Details

Document Title:	DEV 24-2024 Zoning By-law Amendment (428 Queen W).docx
Attachments:	- Attachments for DEV 24-2024.pdf
Final Approval Date:	Jun 4, 2024

This report and all of its attachments were approved and signed as outlined below:




Grant Brouwer

Brent Kittmer

GENERAL LOCATION MAP

428 Queen Street West
Town of St. Marys

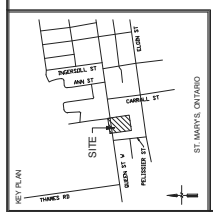
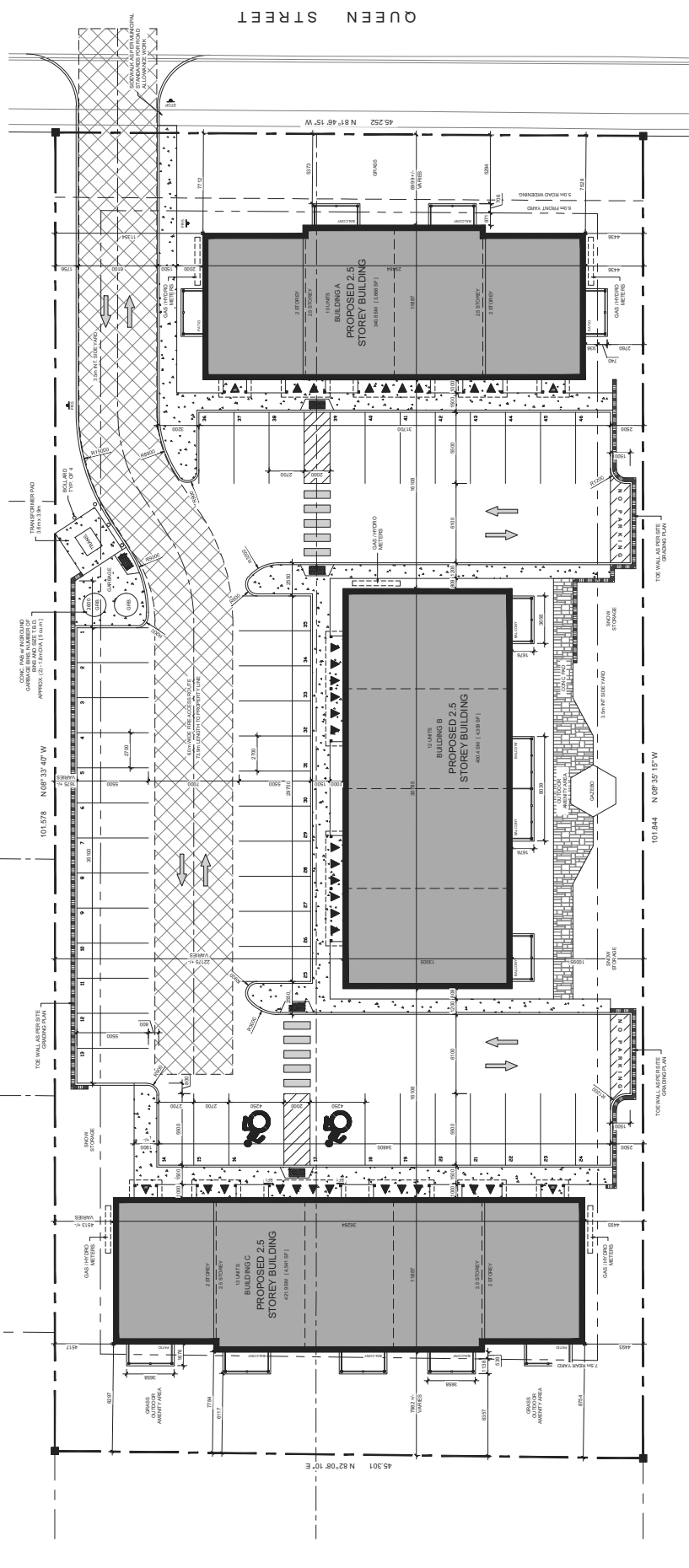


	Subject Property 	 May 2024
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DETAIL	PROPOSED	AS-IS
BUILDING AREA (TOTAL FLOOR)	1,100.00 M ²	1,100.00 M ²
GROUND FLOOR AREA (TOTAL FLOOR)	1,100.00 M ²	1,100.00 M ²
CANOPY	7.00 M ²	7.00 M ²
NO. OF PARKING SPACES	10	10
NO. OF USE-RELATED SPACES	10	10
NO. OF BIKE SPACES	2	2
NO. OF BIKE STORAGE SPACES	0	0
BUILDING HEIGHT	8.10 M	8.10 M
NO. OF STOREYS	3	3

SITE PLAN DATA CHART - ZONING T.B.D.
- MULTI UNIT / TOWNHOUSE

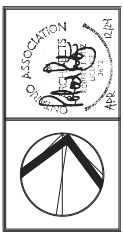
DETAIL	PROPOSED	AS-IS
LOT AREA	4,084.14 M ²	4,084.14 M ²
LOT FRONTAGE	45.22 M	45.22 M
LOT DEPTH	101.57 M	101.57 M
FRONT YARD SETBACK	6.10 M	6.10 M
REAR YARD SETBACK	4.44 M	4.44 M
TOIT COVERAGE	31.2 %	31.2 %
UNDEVELOPED OPEN SPACE	1,124.13 M ²	1,124.13 M ²



SITE PLAN FILE NO. -
 DRAWN BY: DWETLAUFER
 DATE: MAR 22, 2024
 SCALE: 1:150
 PROJECT NO.: 24-PA-20.dwg

TITLE: **SITE PLAN**

1. Seal & Signature set by the person that has reviewed and taken responsibility for design activities.
2. Do not scale the drawings.
3. Check and verify all dimensions and report any discrepancies, contradictions, or ambiguities to the architect prior to issuance to contract.
4. All works to be carried out according to the Ontario Building Code, other applicable codes and standards, and any other authority having jurisdiction.



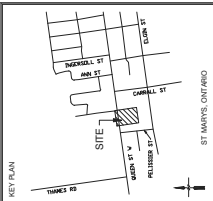
NO.	REVISIONS	DATE
01	Issued for SPA	04.12.2024
02	Issued for SPA	04.12.2024
03	Issued for SPA	03.22.2024
04	Issued for SPA	03.22.2024

PROJECT: **POL QUALITY HOMES**
QUEEN STREET DEVELOPMENT
 428 QUEEN ST
 ST. MARY'S, ONTARIO

R. RITZ ARCHITECT INC.
 322 ONTARIO STREET
 ST. MARY'S, ONTARIO
 TEL: (519) 371-4605

SITE PLAN
 SCALE 1:150

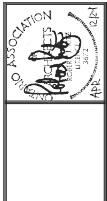
SITE PLAN FILE NO. -



GENERAL NOTES:

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R.RITZ ARCHITECT INC.
 322 ONTARIO STREET
 N3A 3H8 (519) 571-4693



PROJECT
**POL QUALITY HOMES
 QUEEN STREET
 DEVELOPMENT**

428 QUEEN ST
 ST. MARY'S, ONTARIO

TITLE
**BUILDING A
 ELEVATIONS**

NORTH BUILDING

Firm Name: **R. Ritzy Architect**
 Certificate of Practice Number: **372**
 Address: **322 Ontario Street
 Stratford, Ontario N5A 3H8**

Name of Project: **BUILDING A - NORTH**
 Address: **428 Queen Street, St Mary's, ON**

Project Description: **Ontario Building Code Data Matrix Parts 3 & 9**

Item	Part 3	Part 9	OBC Reference
1	Part 1.1	Part 3	2.1.1
2	Part 1.1	Part 3	2.1.1
3	Part 1.1	Part 3	2.1.1
4	Part 1.1	Part 3	2.1.1
5	Part 1.1	Part 3	2.1.1
6	Part 1.1	Part 3	2.1.1
7	Part 1.1	Part 3	2.1.1
8	Part 1.1	Part 3	2.1.1
9	Part 1.1	Part 3	2.1.1
10	Part 1.1	Part 3	2.1.1
11	Part 1.1	Part 3	2.1.1
12	Part 1.1	Part 3	2.1.1
13	Part 1.1	Part 3	2.1.1
14	Part 1.1	Part 3	2.1.1
15	Part 1.1	Part 3	2.1.1
16	Part 1.1	Part 3	2.1.1
17	Part 1.1	Part 3	2.1.1
18	Part 1.1	Part 3	2.1.1
19	Part 1.1	Part 3	2.1.1

Item	Part 3	Part 9	OBC Reference
1	Part 1.1	Part 3	2.1.1
2	Part 1.1	Part 3	2.1.1
3	Part 1.1	Part 3	2.1.1
4	Part 1.1	Part 3	2.1.1
5	Part 1.1	Part 3	2.1.1
6	Part 1.1	Part 3	2.1.1
7	Part 1.1	Part 3	2.1.1
8	Part 1.1	Part 3	2.1.1
9	Part 1.1	Part 3	2.1.1
10	Part 1.1	Part 3	2.1.1
11	Part 1.1	Part 3	2.1.1
12	Part 1.1	Part 3	2.1.1
13	Part 1.1	Part 3	2.1.1
14	Part 1.1	Part 3	2.1.1
15	Part 1.1	Part 3	2.1.1
16	Part 1.1	Part 3	2.1.1
17	Part 1.1	Part 3	2.1.1
18	Part 1.1	Part 3	2.1.1
19	Part 1.1	Part 3	2.1.1

CODE MATRIX NOTES

(1) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

(2) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

(3) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

(4) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

(5) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

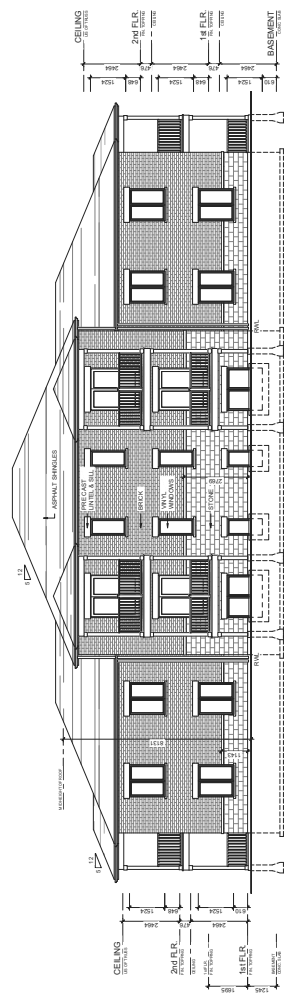
(6) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

(7) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

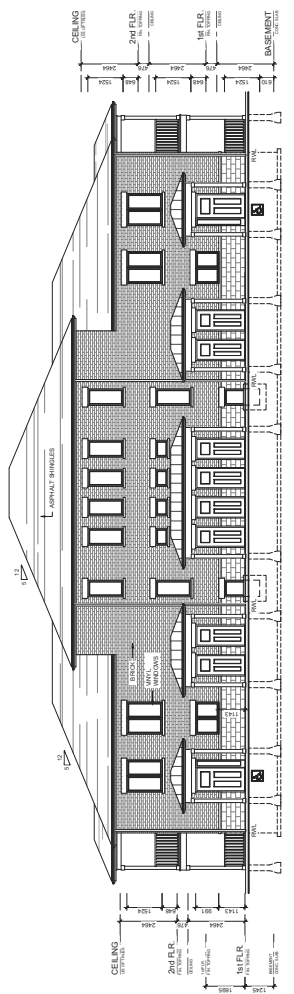
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(9) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.

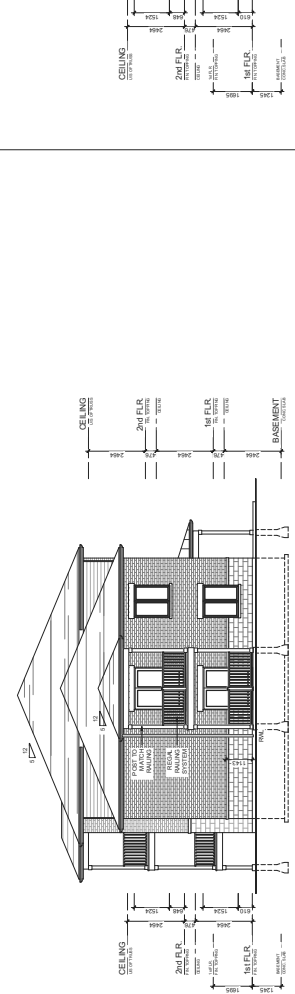
(10) DEFENSE DESIGNER SHALL BE DESIGNATED AS SUCH IN THE LISTING.



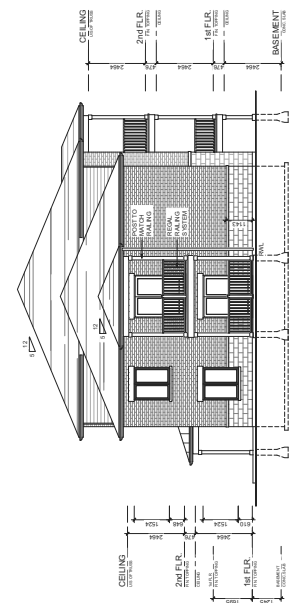
BUILDING A - NORTH BUILDING
REAR ELEVATION
 SCALE 1:100



BUILDING A - NORTH BUILDING
FRONT ELEVATION
 SCALE 1:100

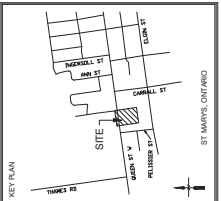


BUILDING A - NORTH BUILDING
WEST ELEVATION
 SCALE 1:100



BUILDING A - NORTH BUILDING
EAST ELEVATION
 SCALE 1:100

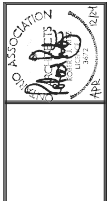
SITE PLAN FILE NO. -



GENERAL NOTES:

1. Seal & Signature by the person that has reviewed and taken responsibility for design activities.
2. Do not scale the drawings.
3. Check and verify all dimensions and report any discrepancies to the client and the architect prior to insurance to contract.
4. All work to be carried out according to the Ontario Building Code, other applicable codes and standards, and any other authority having jurisdiction.

R.RITZ ARCHITECT INC.
 322 ONTARIO STREET
 TORONTO, ONTARIO M5H 1G9
 TEL: 416-593-9711 FAX: 416-593-9712



PROJECT: POL QUALITY HOMES QUEEN STREET DEVELOPMENT
428 QUEEN ST. ST. MARY'S, ONTARIO
TITLE: BUILDING B ELEVATIONS
EAST BUILDING

DRAWN BY: D WETZLAUER
 DATE: 22. 2024
 SCALE: 1:100
 PROJECT NO.: 24-P420.dwg

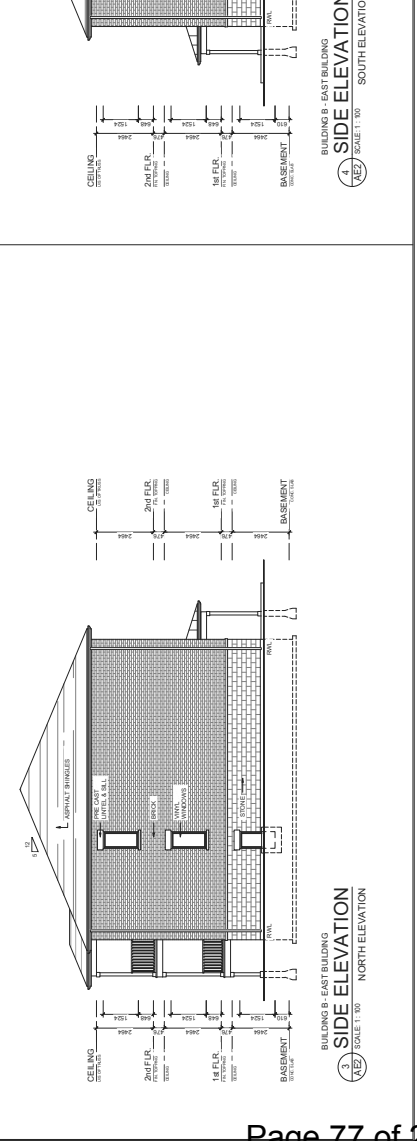
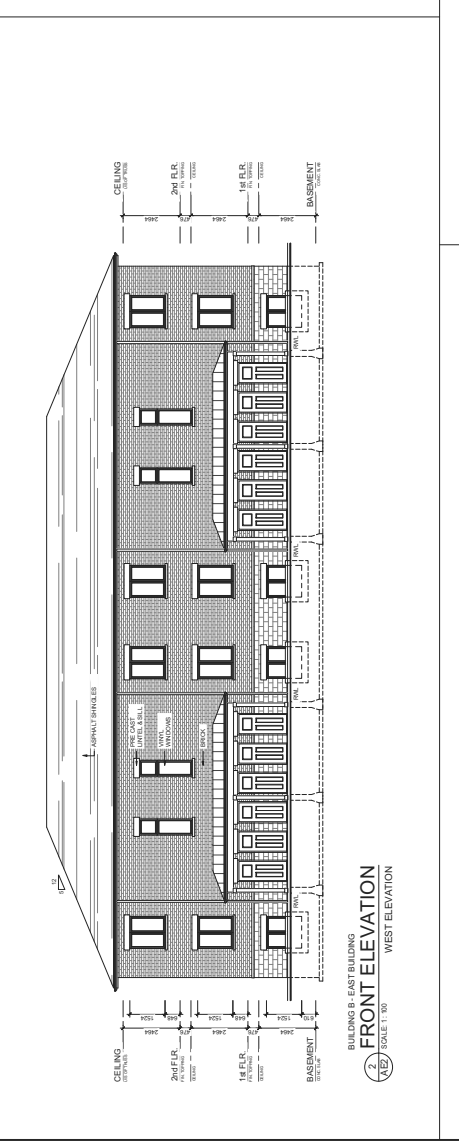
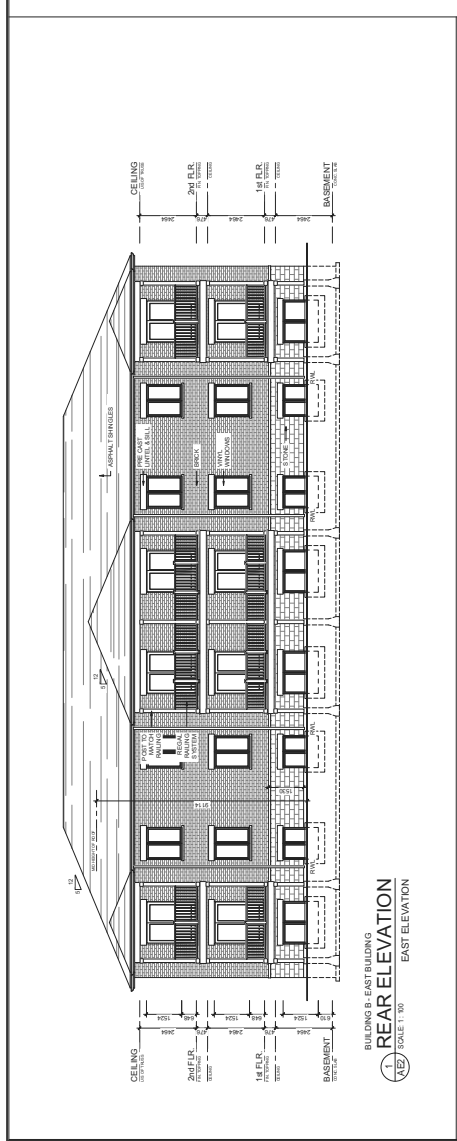
Firm Name: R. Ritzy Architect
 Certificate of Practice Number: 132
 Address: 322 Ontario Street, Toronto, Ontario M5H 1G9

Name of Project: BUILDING B - EAST
 Address: 428 Queen Street, St Mary's, ON

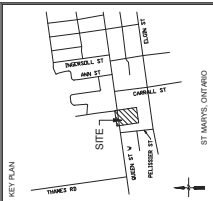
Item	Project Description	Code Reference
1	Major Occupancy (S) GROUP C	Part 3, 2.1.1
2	Building Area (m ²)	3.2.1.1.1, 3.2.1.1.2
3	Gross Area	3.2.1.1.1, 3.2.1.1.2
4	Number of Storeys	3.2.1.1.1, 3.2.1.1.2
5	Number of Streets/Fire Fighter Access	3.2.1.1.1, 3.2.1.1.2
6	Building Classification	3.2.1.1.1, 3.2.1.1.2
7	9.10.4.1.1.1 (R.1.1) (R.1.1)	3.2.1.1.1, 3.2.1.1.2
8	Sprinkler System Proposed	3.2.1.1.1, 3.2.1.1.2
9	Standpipes Required	3.2.9
10	Fire Alarm Required	3.2.4
11	Water Service: Supply is Adequate	3.2.5
12	High Building	3.2.6
13	Permitted Construction	3.2.3.1.1, 3.2.3.1.2
14	Organized Fire Unit on Basement	3.2.1.1.1, 3.2.1.1.2
15	Occupant Load	3.2.1.1.1, 3.2.1.1.2
16	Burner-free Design	3.2
17	Hazardous Substances	3.1.1.1.1, 3.1.1.1.2
18	Required Fire Rating (FRR)	3.2.3.1.1, 3.2.3.1.2
19	Special Separation	3.2.3

CODE MATRIX NOTES

- (1) DEFENSE DESIGNER SHALL PROVIDE PROTECTIVE SYSTEMS WITH A MINIMUM OF 1.5 HOURS OF PROTECTION TO THE OUTSIDE OF STREET (PART 9.10.4.1.1)
- (2) AREA OF PROTECTION SHALL BE AS CALLED OUT BY THE CODE MATRICES
- (3) SEPARATED WITH A MINIMUM OF 2 HOURS (PARTS 9.10.4.1.1 AND 9.10.4.1.2)



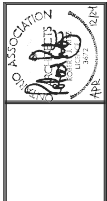
SITE PLAN FILE NO. -



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R.RITZ ARCHITECT INC.
 382 ONTARIO STREET
 ST. MARYS, ONTARIO
 TEL: 519 (519) 271-4693



PROJECT: POL QUALITY HOMES
 QUEEN STREET DEVELOPMENT

**428 QUEEN ST
 ST. MARYS, ONTARIO**

TITLE: BUILDING C ELEVATIONS

SOUTH BUILDING

DRAWN BY: DWIETLAUFER
DATE: 22. 2024
SCALE: 1:100
FILE NO.: 24-PA-210.dwg
PROJECT NO.: 24-PA-20

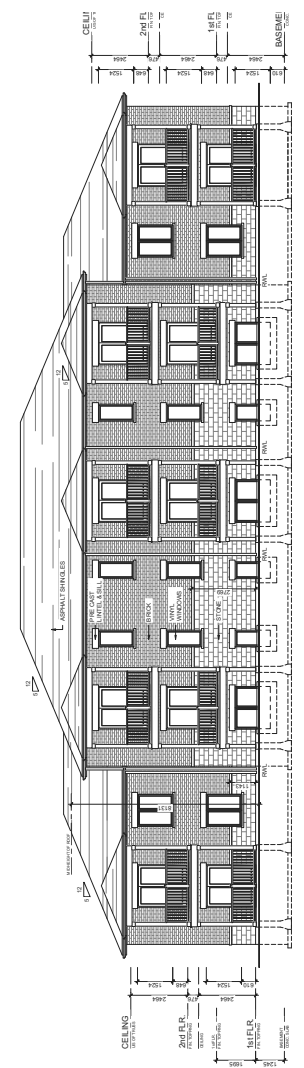
Item	Project Description	Code Reference
1	Ontario Building Code Parts 3 & 9	Part 3, 2.1.1 Part 9, 2.1.1
2	Major Occupancy (O) GROUP C	3.2.1.3
3	Building Area (B) 7	3.2.1.3
4	Gross Area	3.2.1.3
5	Number of Storeys Above Grade	3.2.1.3.2.5
6	Number of Storeys Below Grade	3.2.1.3.2.5
7	Building Classification	9.10.4
8	Sprinkler System Proposed	9.10.4
9	Standpipes Required	9.10.4
10	Fire Alarm Required	9.10.4
11	Water Service: Supply is Adequate	9.10.4
12	High Building	9.10.4
13	Permitted Construction	9.10.4
14	Permitted Construction	9.10.4
15	Occupant Load	9.10.4
16	Burner-free Design	9.10.4
17	Hazardous Substances	9.10.4
18	Fire Rating	9.10.4
19	Special Separation	9.10.4
20	Fire Rating	9.10.4
21	Fire Rating	9.10.4
22	Fire Rating	9.10.4
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CODE MATRIX NOTES

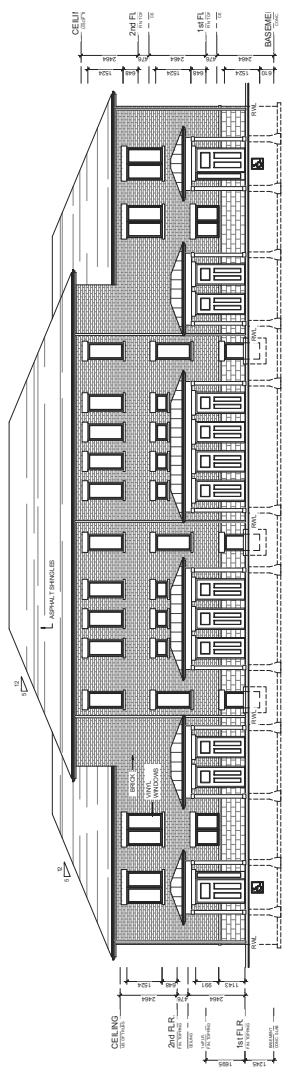
(1) DISTANCE BETWEEN STOREYS FROM FINISH FLOOR TO FINISH FLOOR OF STOREY IMMEDIATELY ABOVE

(2) AREA OF EXPOSURE SHALL BE CALCULATED AS PER THE CODE REQUIREMENTS

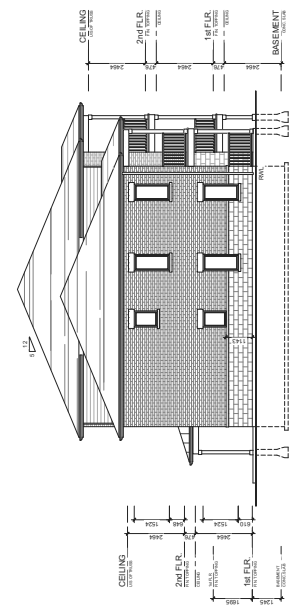
(3) SEPARATED WITH A MINIMUM OF 24 HOURS RATING (CBC 9.10.4.2.1.1.1.1)



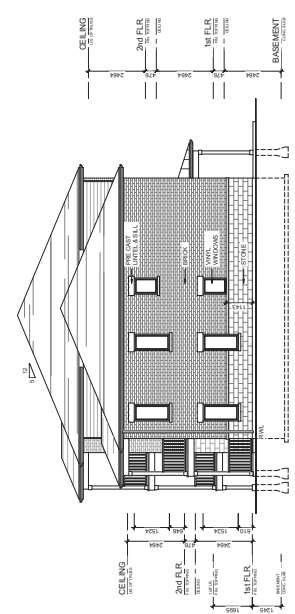
**BUILDING C - SOUTH BUILDING
 REAR ELEVATION**
 SCALE 1:100



**BUILDING C - SOUTH BUILDING
 FRONT ELEVATION**
 SCALE 1:100



**BUILDING C - SOUTH BUILDING
 WEST ELEVATION**
 SCALE 1:100



**BUILDING C - SOUTH BUILDING
 EAST ELEVATION**
 SCALE 1:100



Planning Justification Report

Zoning By-law Amendment Application

428 Queen Street West, St. Marys

April 2024

Prepared For:
Pol Quality Homes

139 Herbert Street, Unit 7
Mitchell, ON
NoK 1No

Prepared By:
Baker Planning Group

PO Box 23002 Stratford
Stratford, ON
N5A 7V8

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1 INTRODUCTION

On behalf of Joan Lang (“Owner”) and Pol Quality Homes (“Applicant”), Baker Planning Group is submitting a Zoning By-law Amendment Application for land known municipally as 428 Queen Street West, St. Marys (“Site”)(Figure 1). The Site is legally known as Lots 1 and 2, South Side Queen, Registered Plan 217, Town of St. Marys, County of Perth.

The Applicant is proposing the comprehensive redevelopment of the Site for the purposes of a multi-unit residential development.

Located to the west of the downtown area of the Town of St. Marys, the Site is rectangular in shape and is 4,605 square metres in size. The Site has 45.252 metres of frontage on Queen Street West and an average lot depth of 101.578 metres. There is an existing single detached dwelling on the Site, oriented to Queen Street West. The Site has one vehicular access to Queen Street West, connecting to an existing surface parking area. Various small accessory buildings are located in the rear yard. The Site generally consists of a manicured lawn, with perimeter trees along the eastern, western, and southern property lines. There is a small cluster of trees and shrubs in the central area of the Site, along with boundary trees along the property line.

The area surrounding the Site includes a mix of land uses (Figure 2), including:

South and West:	Low-density residential uses, generally consisting of single detached dwellings
East:	Harris-Greig Automotive
North:	Radar Auto Parts, Ideal Supply, various car dealerships

It is noted that the land to the immediate west of the Site, 446 Queen Street West, recently received approval from the Town of St. Marys for a new 3-storey building with a commercial unit and 11 residential units. The proposed development is three (3) storeys in height, with a reduced front yard setback of 0.05 metres to Queen Street West.

The Site is within walking distance of a municipal park, commercial uses and community services. West Ward (Watt) Park and the St. Marys Memorial Hospital are west of the Site. Immediately east of the Site is “The Loop” trail system, which connects to the “Grand Trunk Trail”.

The Site is designated “Residential” in the current Town of St. Marys Official Plan (“OP”) and the Adopted Town of St. Marys Official Plan (“Adopted OP”). Queen Street West is identified as an arterial road on Schedule B to the OP. The Site is zoned as “Residential Zone Two (R2)” and “Residential Zone Two (R2-H2)”.

The Planning Justification Report (“Report”) has been prepared to fulfill the Town of St. Marys submission requirements. This Report summarizes the Proposed Development, the applicable land use policies, and the appropriateness of the Application.



Figure:

1

SITE

Site Location: 428 Queen Street West, St. Marys





Figure:

2

SURROUNDING LAND USES

Site Location: 428 Queen Street West, St. Marys



2 PROPOSED DEVELOPMENT

The Applicant is proposing a comprehensive redevelopment of the Site as a medium-density residential development ("Proposed Development"). The intent is to utilize a strategically located property on an arterial road with existing municipal services to contribute to a greater range of housing types in the community.

The Proposed Development is a multi-unit housing form, in keeping with a stacked townhouse development and/or low-rise apartments with 35 dwelling units. The dwelling units are contained within three (3) buildings, with each dwelling unit having a separate and independent entrance to the exterior. This housing type allows residents to purchase and/or rent dwelling units that appear and function as townhouses but achieve greater land-use efficiencies, densities, and cost. The overall height of the proposed buildings is 2 1/2 storeys (8.15 metres).

Image 1: Proposed 3D Rendering of the Development



Source: Pol Quality Homes, 2024

The following range of dwelling units is proposed:

1-bedroom:	5 units
1-bedroom + den:	5 units
2-bedroom:	25 units

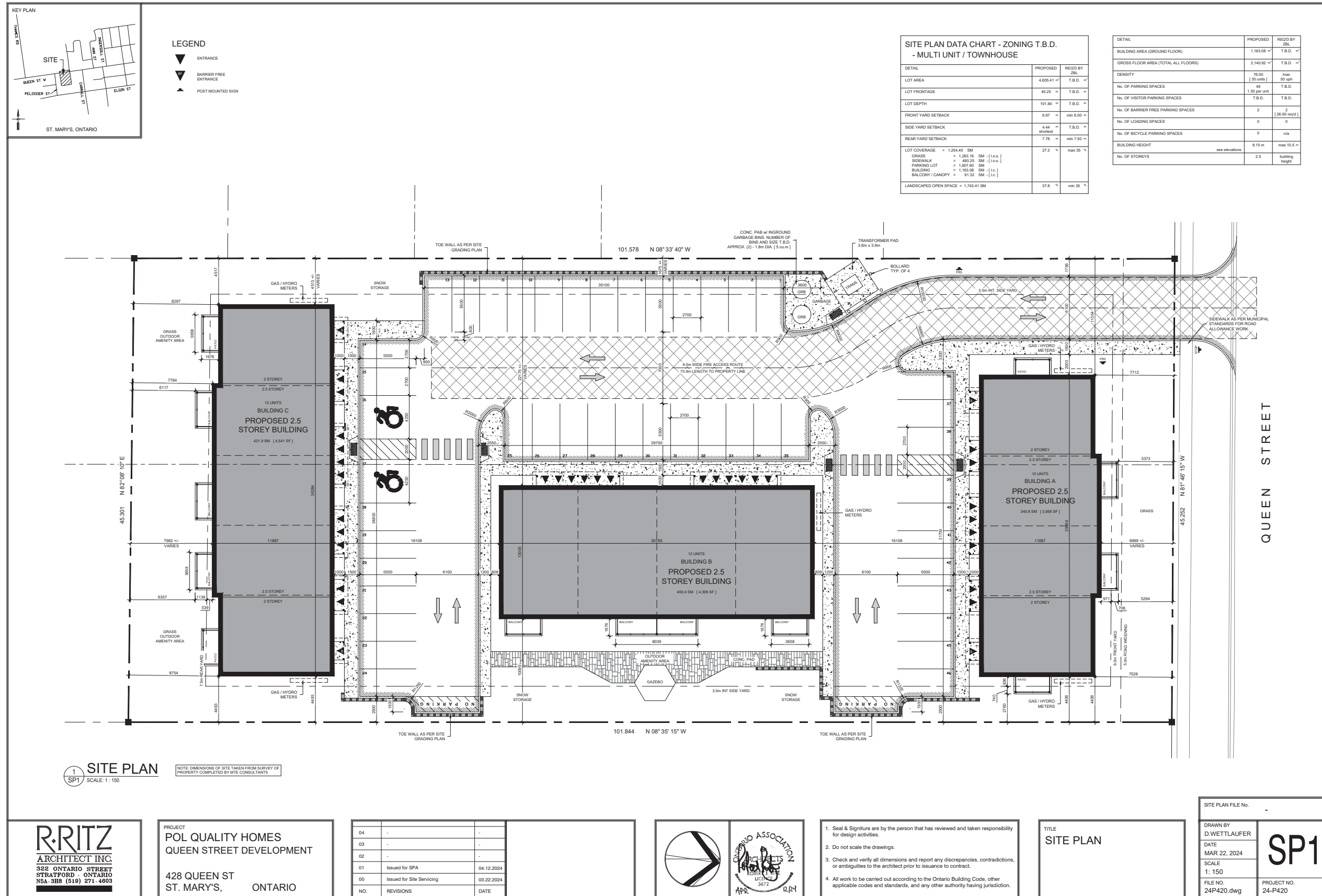


Figure:

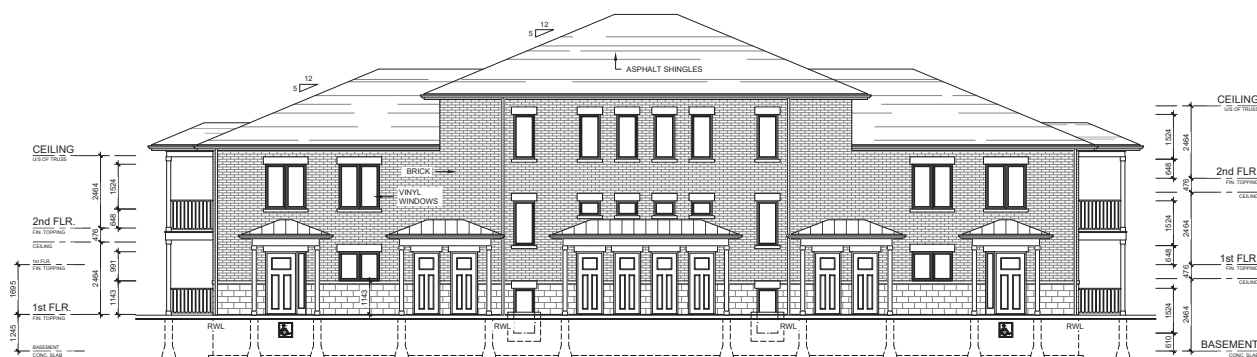
3

SITE PLAN

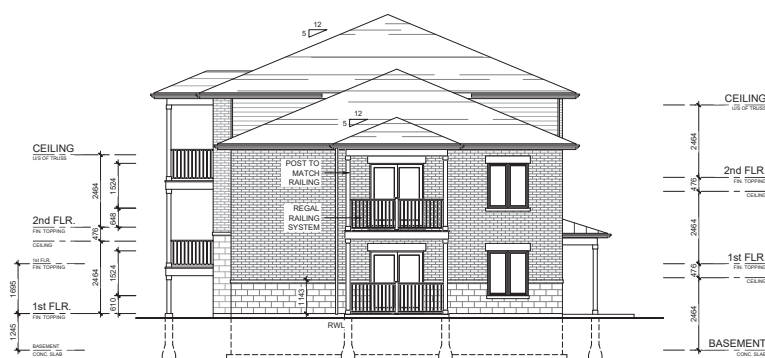
Site Location: 428 Queen Street West, St. Marys



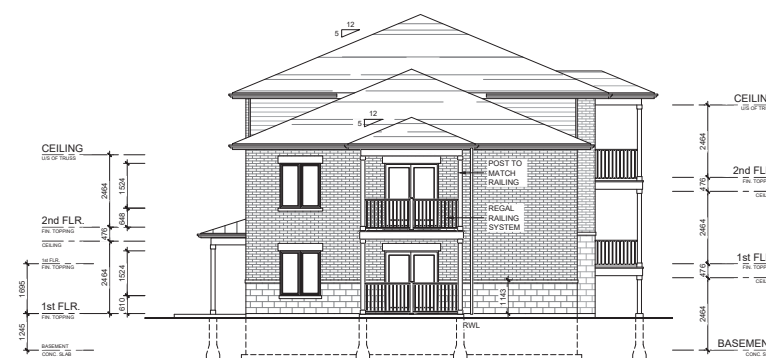
BUILDING A - NORTH BUILDING
1 REAR ELEVATION
 SCALE: 1 : 100
 NORTH ELEVATION



BUILDING A - NORTH BUILDING
2 FRONT ELEVATION
 SCALE: 1 : 100
 SOUTH ELEVATION



BUILDING A - NORTH BUILDING
3 SIDE ELEVATION
 SCALE: 1 : 100
 WEST ELEVATION

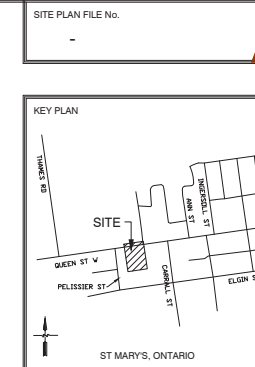


BUILDING A - NORTH BUILDING
4 SIDE ELEVATION
 SCALE: 1 : 100
 EAST ELEVATION

Firm Name: R. Ritz Architect Certificate of Practice Number: 1262 Address: 322 Ontario Street, Stratford, Ontario N5A 3H8		Name of Project: BUILDING A - NORTH Address: 428 Queen Street, St Mary's, ON																																																								
Item 1 Project Description:		OBC Reference																																																								
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Item 2 Major Occupancy(s) GROUP C		3.1.2.1.(f)																																																								
Item 3 Building Area (m ²)		1.1.3.2																																																								
Item 4 Gross Area		1.1.3.2																																																								
Item 5 Number of Storeys		3.2.1.1 & 1.1.3.2																																																								
Item 6 Number of Streets/Fire Fighter Access		3.2.2.10 & 3.2.5																																																								
Item 7 Building Classification		9.10.8.1. & TABLE 9.10.8.1																																																								
Item 8 Sprinkler System Proposed		3.2.2.20 - .83																																																								
<input type="checkbox"/> entire building <input type="checkbox"/> selected compartments <input type="checkbox"/> selected floor areas <input type="checkbox"/> basement only		<input checked="" type="checkbox"/> not required n/a n/a <input type="checkbox"/> in lieu of roof rating																																																								
Item 9 Standpipe Required		3.2.9																																																								
Item 10 Fire Alarm Required		3.2.4																																																								
Item 11 Water Service/Supply is Adequate		3.2.5.7																																																								
Item 12 High Building		3.2.6																																																								
Item 13 Permitted Construction		3.2.2.20 - .83																																																								
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Item 14 Mezzanine(s) Area (m ²)		3.2.1.1.(3)-(8)																																																								
Item 15 Occupant Load Based on		3.1.16																																																								
Basement Occupancy: 4 Load: _____ persons 1st Floor Occupancy: 12 Load: _____ persons 2nd Floor Occupancy: 16 Load: _____ persons 3rd Floor Occupancy: _____ Load: _____ persons		<input checked="" type="checkbox"/> design of building																																																								
Item 16 Barrier-free Design		3.8																																																								
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Item 17 Hazardous Substances		3.3.1.2 & 3.3.1.19																																																								
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Item 18 Required Fire Resistance Rating (FRR)		3.2.1.4																																																								
Horizontal Assemblies FRR (Hours) Floors: 3/4 hr Roof: 0 hr Mezzanine: 3/4 hr FRR of Supporting Members Floors: 3/4 hr Roof: 0 hr Mezzanine: 3/4 hr		Listed Design No. or Description (SG-2) Listed Design No. or Description (SG-2)																																																								
Item 19 Spatial Separation - Construction of Exterior Walls		3.2.3																																																								
<table border="1"> <thead> <tr> <th>Wall</th> <th>Area of EBF (m²)</th> <th>L.D. (m)</th> <th>L.H. or H.L.</th> <th>Permitted Max. % of Openings</th> <th>Proposed % of Openings</th> <th>F.R.R. (Hours)</th> <th>Listed Design or Description</th> <th>Comb. Const.</th> <th>Comb. Constr. Non-Cladding</th> <th>Non-Comb. Const.</th> </tr> </thead> <tbody> <tr> <td>North</td> <td>17.3</td> <td>7.0⁽¹⁾</td> <td>-</td> <td>100 %</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>South</td> <td>23.2</td> <td>8.0</td> <td>-</td> <td>100 %</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> <tr> <td>East</td> <td>27.8</td> <td>4.4</td> <td>-</td> <td>52 %</td> <td>21.6 %</td> <td>3/4 HR</td> <td>5/8" GYP. BD.</td> <td>YES</td> <td>-</td> <td>-</td> </tr> <tr> <td>West</td> <td>27.8</td> <td>11.3</td> <td>-</td> <td>100 %</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> <td>-</td> </tr> </tbody> </table>		Wall	Area of EBF (m ²)	L.D. (m)	L.H. or H.L.	Permitted Max. % of Openings	Proposed % of Openings	F.R.R. (Hours)	Listed Design or Description	Comb. Const.	Comb. Constr. Non-Cladding	Non-Comb. Const.	North	17.3	7.0 ⁽¹⁾	-	100 %	-	-	-	-	-	-	South	23.2	8.0	-	100 %	-	-	-	-	-	-	East	27.8	4.4	-	52 %	21.6 %	3/4 HR	5/8" GYP. BD.	YES	-	-	West	27.8	11.3	-	100 %	-	-	-	-	-	-	9.10.14	
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CODE MATRIX NOTES

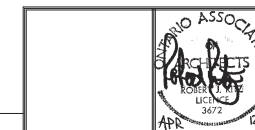
- (1) EXPOSING BUILDING FACE OF BUILDING FACES STREET WITH A LIMITING DISTANCE GREATER THAN 8.0m TO CENTER OF STREET. UNLIMITED UNPROTECTED OPENINGS PERMITTED FOR WALL FACE. OBC 9.10.14.4.(6)
- (2) AREA OF EXPOSING BUILDING FACE MEASURED TO FIRE COMPARTMENTS SEPARATED WITH A MINIMUM OF 3/4 HOUR RATING. OBC 9.10.14.2.(1),(4),(6)



GENERAL NOTES:

- Seal & Signature are by the person that has reviewed and taken responsibility for design activities.
- Do not scale the drawings.
- Check and verify all dimensions and report any discrepancies, contradictions, or ambiguities to the architect prior to issuance of contract.
- All work to be carried out according to the Ontario Building Code, other applicable codes and standards, and any other authority having jurisdiction.

01	Issued for SPA	04.12.2024
00	Issued for Site Servicing	03.22.2024
NO.	REVISIONS	DATE



PROJECT
POL QUALITY HOMES
 QUEEN STREET DEVELOPMENT
 428 QUEEN ST
 ST. MARY'S, ONTARIO
 TITLE
BUILDING A ELEVATIONS
 NORTH BUILDING

DRAWN BY
 D. WETTLAUFER
 DATE
 MAR 22, 2024
 SCALE
 1 : 100
 FILE NO.
 24P420.dwg
 PROJECT NO.
 24-P420
AE1

Figure:

4

BUILDING ELEVATIONS

Site Location: 428 Queen Street West, St. Marys

Dwelling unit sizes range between approximately 620 square feet and 820 square feet. The Applicant is proposing to include two (2) affordable dwelling units within the Proposed Development and has commenced discussions with not-for-profit housing providers to maintain these units over the long-term.

Image 2: Proposed 3D Rendering of Building C



Source: Pol Quality Homes, 2024

The Proposed Development has been designed to provide a strong public frontage with active uses and pedestrian connections along Queen Street West, while providing for the efficient use of the Site given its elongated shape. The building elevation fronting Queen Street West includes variation in the building materials, varying roof lines, and extensive glazing.

The Proposed Development is complementary to and compatible with surrounding land uses, through building height, massing, orientation and architectural style. As noted, there is a range in existing and proposed building heights in the vicinity of the Site, and the residential buildings do not exceed these heights. The proposed residential buildings extend a similar building shape, size and roof pitch to traditional lower-density housing but include a more contemporary colour palette and selection of building materials.

The proposed functional features of the Proposed Development include:

- New entrance to Queen Street West to connect the Proposed Development;
- 46 off-street parking spaces, of which:
 - a. 37 residential parking spaces for unit occupants (minimum 1 space per dwelling unit);
 - b. 9 visitor parking spaces (0.25 spaces/dwelling unit), which includes 2 accessible parking spaces

- 8 bicycle parking spaces;
- Interconnected walkways throughout the Proposed Development;
- Two (2) common amenity areas;
- Snow storage areas;
- Sufficient driveway width to accommodate delivery trucks for move-in and move-out;
- Retaining walls with heights limited to 0.60 metres to 1.0 metres; and,
- Screened waste disposal areas.

The Applicant is proposing screening along the proposed interior property lines through a combination of landscaping and solid wood fencing, providing opportunities to retain existing trees. This screening will assist in mitigating car lights in the parking area. In a future Site Plan Application, the Applicant will propose screening and appropriate locations for site functions such as communal garbage storage.

The Existing Conditions Plan (MTE Consultants) illustrates existing on-site trees and shrubs, as well as existing trees near the property line (both on-site and off-site). The Plan confirms that the majority of trees along the property line will be retained within the Proposed Development, except for a cluster of small trees and shrubs on the western property line where the new screened garbage area is proposed. The retention of the existing trees along the edges of the Site will assist in providing further screening of the Proposed Development.

Amenity areas for the residential component include centralized common amenity areas and private balconies. Common amenity areas will include a pathway, lawn area, and patio. The proposed on-site pathway could be connected to future development to the south, should future unit owners desire that at the time of any redevelopment to the south. There is sufficient side yard width to accommodate a further pathway.

The off-street parking area has been distributed throughout the Proposed Development to facilitate accessibility to the dwelling units and break up long runs of parking areas.

A 5.0-metre road widening is proposed on Queen Street West, per the requirements of the Town of St. Marys.

Matters related to accessibility under the Accessibility for Ontarians with Disabilities Act (AODA) and the Ontario Building Code will be addressed at the time of the Site Plan Application.

2-1 PLANNING APPLICATION

To permit the Proposed Development, a Zoning By-law Amendment is required. The Amendment is requesting that the Site be rezoned to a site-specific "Residential Zone Five (R5)" zone to:

- Recognize the proposed multi-unit form of housing, which includes components of both stacked townhouses and low-rise apartments;
- To develop site-specific zoning provisions to recognize the characteristics of the Site and the form of development proposed.

The following site-specific provisions are proposed:

12.9.XX	<p>Location: Lots 1 and 2, South Side Queen, Registered Plan 217</p> <p>Notwithstanding the provisions of Section 12, the following additional uses shall be permitted: Stacked Townhouse dwelling units, defined as “a building containing 3 or more Dwelling Units, with each dwelling unit may be separated either or both vertically and horizontally, and may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule, or landing.”</p> <p>Notwithstanding the provisions of the By-law to the contrary, the following zone requirements shall apply to the additional permitted use:</p> <ul style="list-style-type: none"> i. Minimum Lot Frontage: 25 metres ii. Minimum Front Yard Setback: 0.5 metres iii. Minimum Rear Yard Setback: 7.5 metres iv. Minimum Side Yard Setback: 4.0 metres v. More than one building may be erected on a lot provided that the separation distances between buildings shall be according to all applicable requirements of the Ontario Building Code, as amended, and in compliance with the following: <ul style="list-style-type: none"> a) the minimum distance between two exterior walls of different buildings facing each other, neither of which is an end wall, where either or both of the exterior walls contain a window to a habitable room, shall be 10.0 metres. b) the minimum distance between two end walls of different buildings shall be 5 metres. vi. Maximum Lot Coverage: 35% vii. Maximum Density: 90 units per hectare viii. Minimum Landscaped Open Space: 35% ix. Maximum Building Height: 12.0 metres x. Minimum Off-Street Parking: 1.3 spaces per Dwelling Unit; xi. A planting strip shall be required in accordance with the provisions of Section 5.25, where an interior side or rear lot line of a lot abuts a lot that is: <ul style="list-style-type: none"> a. in a Residential Zone or a Residential (-H) Holding Zone b. used for residential purposes; and shall constitute one of the following, or any combination of the following: <ul style="list-style-type: none"> 1. A planting strip with a minimum width of 1.0 metres, planted with trees, evergreens, and/or shrubs, which at the time of planting shall be 1.0 metres in height and they must be of such a species or type so as to achieve a minimum height of 2.0 metres at maturity 2. Existing trees and/or shrubs; and/or 3. Solid wood fence with a minimum of 2.0 metres in height xii. Driveway requirements: no ingress or egress driveway shall be located closer than 1.0 metres to any side or rear lot line.
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	<p>xiii. Steps, and patios, whether they be covered or uncovered, and unenclosed porches and verandas may project into any required front yard, side yard, and rear yard, a distance of not more than 1.8 metres.</p> <p>xiv. Where lands have been comprehensively planned and are subject to an approved site plan and associated agreement pursuant to Section 41 of the <i>Planning Act</i>, any zoning deficiencies resulting from the creation of condominium units, shall be deemed to comply with the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines existing prior to any condominium plan registration are complied with.</p>
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3 TECHNICAL STUDIES

This Section of the Planning Justification Report provides an overview of the supporting technical studies to the Proposed Development and the associated Application.

3-1 Functional Servicing Letter

MTE was retained by the Applicant to review the required municipal servicing to support the Proposed Development.

There are currently three sanitary services within the Queen St. W right-of way across the frontage of the Site. It is proposed that:

- The existing western service will be connected to Building B and C. A 150mm pipe will discharge each building's sewage to manhole 3A, which will convey the discharge by a 200mm sewer to manhole 1A installed on the property line. From there, the existing service will be extended to convey the sewage to the municipal sewer.
- The existing middle service will be connected to Building A. A 150mm pipe will discharge the building's sewage to a cleanout that is to be installed on the property line and will convey the sewage to the municipal sewer.

Similarly to the sanitary services, there are currently three water service stubs from the north property line to the watermain within Queen St. W. However, they are most likely 25mm and therefore undersized for serving a building with multiple units. Currently, the closest municipal fire hydrant is further than 90m from Building C, and therefore, a new fire hydrant is proposed to be installed within the site. It is proposed that:

- A 150mm watermain is proposed to connect the proposed fire hydrant to the existing 200mm watermain within Queen St W. Two 50mm services connected to it will provide a water service to Buildings B and C.
- Another 50mm service will connect Building A directly to the watermain.
- Adequacy of the water network's flow and pressure to serve the proposed development will be confirmed with the Town of St. Marys.

As per the Town of St Marys Stormwater Management Policy document, there is no requirement for quantity or quality control of the stormwater when the product of the property size in hectares and the average runoff coefficient is less than or equal to 0.65. The area of the site is 0.44ha and the average runoff coefficient is approximately 0.76 for a product of 0.33 which is less than 0.65. Best engineering practices will be implemented for the grading and the drainage of the Site.

Grading has been designed to limit the height and extent of retaining walls required on the Site, and provides the ability to retain existing trees.

3-2 Traffic Impact Study Report

The Applicant retained TraffMobility to prepare a Traffic Impact Study Report and Parking Justification Study for the Proposed Development. The conclusions of the Report are provided below.

Existing Conditions

- The analysis results indicate that all movements at the study intersection are operating with acceptable level of service and residual capacity during the weekday AM and weekday PM peak hours.

Future Background Conditions

- The analysis results indicate that all movements at the study intersection are expected to operate with acceptable level of service and residual capacity during the weekday AM and weekday PM peak hours under future (2029) background conditions. No mitigation measures are required.

Site Traffic Trip Generation

- The site is expected to generate 34 bi-directional new auto trips during the weekday AM peak hour and 36 bi-directional new auto trips during the weekday PM peak hour.

Future Total Conditions

- The analysis results indicate that all movements at the study intersections are expected to operate with acceptable level of service and residual capacity during the weekday AM and weekday PM peak hours under future (2029) total conditions and no mitigation measures are required.

Site Plan and Access Review

- Based on a review of the proposed site access locations and the adjacent roadway geometry, there are no apparent horizontal or vertical curves on Queen Street West. Moreover, the existing and proposed buildings within the subject site are set back from the edge of the road which will further improve sightlines for drivers exiting the proposed site accesses. Therefore, it is concluded that the proposed site accesses meet the minimum sight distance requirements.
- The proposed site access will be offset approximately 10 metres from the Car Dealership West Access at 425 Queen Street West; however, this minor offset is not expected to result in operational of safety issues given the low turning movement volumes at this intersection and no access sightline issues.

Parking Supply

- It was noted that the proposed parking supply for the development has a deficiency of 11 parking spaces compared to the required number of parking spaces as per the Town's Zoning by-law.
- Parking utilization surveys for two (2) proxy residential developments in the Town of St. Marys were carried out in support of a parking justification study. The results from the study

concluded that the proposed parking supply for the proposed development will meet the expected parking demand.

- The site plan needs to provide a minimum of 3 electric vehicle charging station rough-ins as per the By-law requirement for land use type apartment dwelling.
- The site plan provides two accessible parking spaces which meets the By-law requirement.

Transportation Demand Management (TDM)

- The following transportation demand management (TDM) measures can be considered to further reduce the parking demand for the proposed development:
 - Unbundling of parking spaces from the sale of townhouse units.
 - Transit Services – the Site is served by public transit with the nearest bus stop located within a comfortable walking distance. As a TDM measure, increasing awareness of sustainable transportation opportunities (i.e., public transit) for residents can be considered.

3-3 Housing Affordability Assessment

The Town of St. Marys Formal Consultation Checklist includes a requirement for a Housing Affordability Assessment. In addition to the proposed housing type and dwelling unit size providing for more affordable housing units within the Town, the Applicant is proposing the inclusion of defined affordable dwelling units within the development.

The Applicant is proposing two (2) affordable dwelling units within the Proposed Development and is working with the Town and a not-for-profit housing organization to finalize the implementing details of these units.

4 PLANNING POLICY FRAMEWORK

This Section of the Planning Justification Report summarizes the relevant planning policies to the Proposed Development and the Application.

4-1 PLANNING ACT

The *Planning Act, R.S.O. 1990, CHAPTER P.13*, provides provincial legislation that “sets out the ground rules for land use planning in Ontario. It describes how land uses may be controlled, and who may control them.”

Section 2 of the Planning Act outlines the matters of provincial interest that the council of a municipality, a planning board and Ontario Land Tribunal shall have regard to in carrying out their responsibilities under the Act. The following table provides a summary of the provincial interests, along with an analysis of the Proposed Development and the Application.

Table 4-1: Summary of Provincial Interest

Section	Provincial Interest	Analysis
a)	the protection of ecological systems, including natural areas, features ,and functions	The Site is located within the settlement area and does not have any identified natural features or functions in provincial or local planning documents.
b)	the protection of the agricultural resources of the Province	The Site is located within the defined settlement area, intended long-term for urban land uses.
c)	the conservation and management of natural resources and the mineral resource base	The Site does not contain any natural resources or mineral resources.
d)	the conservation of features of significant architectural, cultural, historical, archaeological or scientific interest	There are no known significant features on the Site, per the mapping to the Official Plan.
e)	the supply, efficient use and conservation of energy and water	The Proposed Development can utilize existing municipal services on Queen Street West (sanitary and water) and through the introduction of stormwater controls, will create an overall improvement to the water quality and quantity.
f)	the adequate provision and efficient use of communication, transportation, sewage and water services and waste management systems	<ul style="list-style-type: none"> • Communication services are available to the Site. • Active transportation will be facilitated through a pedestrian link to Queen Street West. • Sanitary and water services are available.

Section	Provincial Interest	Analysis
		<ul style="list-style-type: none"> Waste management has been considered through the Conceptual Site Plan, including waste storage (internally and externally) and waste removal.
g)	the minimization of waste	The Applicant will explore opportunities to minimize waste through the construction process, should the application be approved.
h)	the orderly development of safe and healthy communities	<p>The development will contribute to providing a range of needed residential dwelling options in the urban area.</p> <p>The supporting technical studies support the appropriate municipal servicing of the Site, and safe access.</p>
h.1)	the accessibility for persons with disabilities to all facilities, services and matters to which this Act applies	Through future planning and building applications, including the Ontario Building Code, matters related to accessibility will be addressed.
i)	the adequate provision and distribution of educational, health, social, cultural and recreational facilities	The Site is located within the urban area, in close proximity to schools, jobs and recreation opportunities.
j)	the adequate provision of a full range of housing, including affordable housing	<p>The development will provide an alternative housing form, including smaller 1 and 2-bedroom dwelling units to the housing supply in St. Marts adding an attractive unit prices within the market area.</p> <p>The Applicant is proposing the inclusion of affordable and attainable dwelling units.</p>
k)	the adequate provision of employment opportunities	The introduction of a greater range and amount of housing will support local employers in attracting employees to St. Marys.
l)	the protection of the financial and economic well-being of the Province and its municipalities	The efficient use of land with existing and planned municipal infrastructure, provides for long-term financial stability and cost-effective development.
m)	the co-ordination of planning activities of public bodies	To be addressed through the circulation of the planning application to applicable public bodies.
n)	the resolution of planning conflicts involving public and private interests	Planning conflicts involving public and private interests have not been identified through the pre-consultation review.
o)	the protection of public health and safety	The proposed residential uses will be fully serviced on municipal water and sanitary.

Section	Provincial Interest	Analysis
p)	the appropriate location of growth and development	The Town of St. Marys Official Plan has identified the Site as an area for development.
q)	the promotion of development that is designed to be sustainable, to support public transit and to be oriented to pedestrians	The Site has frontage on a municipal road, with the ability to connect municipal sidewalks.
r)	the promotion of built form that:	
r.i)	is well-designed	The development provides for a sense of community by continuing the residential character of the area and providing a transition from surrounding commercial uses.
r.ii)	encourages a sense of place	
r.iii)	provides for public spaces that are of high quality, safe, accessible, attractive and vibrant	Area parks and public spaces are available within walking distance to the Site, and on-site amenities will include new landscaped spaces and an outdoor amenity area.
s)	the mitigation of greenhouse gas emissions and adaptation to a changing climate	The development of land within an urban area minimizes the consumption of agricultural land.

Through recent amendments to the Development Charges Act (Bill 23), the following definitions of affordable and attainable residential unit ownership were included:

Affordable residential unit ownership:

A residential unit not intended for use as a rented residential premises shall be considered to be an affordable residential unit if it meets the following criteria:

- 1. The price of the residential unit is no greater than 80 per cent of the average purchase price, as determined in accordance with subsection (6) of the Development Charges Act.*
- 2. The residential unit is sold to a person who is dealing at arm's length with the seller.*

Attainable residential unit ownership:

A residential unit shall be considered to be an attainable residential unit if it meets the following criteria:

- 1. The residential unit is not an affordable residential unit.*
- 2. The residential unit is not intended for use as a rented residential premises.*
- 3. The residential unit was developed as part of a prescribed development or class of developments.*
- 4. The residential unit is sold to a person who is dealing at arm's length with the seller.*
- 5. Such other criteria as may be prescribed.*

In summary, it is our opinion that the Proposed Development and the implementing Application has regard for matters of public interest.

4-2 PROVINCIAL POLICY STATEMENT, 2020

The Provincial Policy Statement (“PPS”), 2020 is a province-wide policy document that sets the foundation for regulating development and land use. The PPS is issued under Section 3 of the *Planning Act*. The PPS “provides for appropriate development while protecting resources of provincial interest, public health and safety, and the quality of the natural and built environment.” The document is to be read in its entirety, and all relevant policies must be considered. Municipal official plans are the most important vehicle for implementing the PPS and achieving comprehensive, integrated, and long-term planning.

The following section provides a summary of the policy directives that are relevant to the Proposed Development and associated Application.

Creation of Healthy and Livable Communities

The PPS, in Section 1.1.1., provides for the creation of healthy, liveable and safe communities through the promotion of efficient land use patterns which sustain the financial well-being of the Province and municipalities, accommodates an appropriate range of affordable and market-based housing as well as commercial uses and avoids development that may cause public health or safety concerns. Section 1.1.3 supports settlement areas as the focus of growth and development and, more specifically, promotes growth areas to be compact and support a mix of uses.

Housing

Section 1.4 of the PPS more speaks explicitly to considerations for residential growth, including intensification, redevelopment and the provision of an appropriate range and mix of housing types and densities. Section 1.4.3 states that planning authorities shall provide for a mix of housing types and densities by:

- a) establishing and implementing minimum targets for the provision of housing which is *affordable to low and moderate income households* and which aligns with applicable housing and homelessness plans. However, where planning is conducted by an upper-tier municipality, the upper-tier municipality in consultation with the lower-tier municipalities may identify a higher target(s) which shall represent the minimum target(s) for these lower-tier municipalities;
- b) permitting and facilitating:
 1. all housing options required to meet the social, health, economic and well-being requirements of current and future residents, including special needs requirements and needs arising from demographic changes and employment opportunities; and
 2. all types of *residential intensification*, including additional residential units, and *redevelopment* in accordance with policy 1.1.3.3;
- c) directing the development of new housing towards locations where appropriate levels of *infrastructure* and *public service facilities* are or will be available to support current and projected needs;

- d) promoting densities for new housing which efficiently use land, resources, *infrastructure* and *public service facilities*, and support the use of *active transportation* and transit in areas where it exists or is to be developed;
- e) requiring *transit-supportive* development and prioritizing *intensification*, including potential air rights development, in proximity to transit, including corridors and stations; and
- f) establishing development standards for *residential intensification*, *redevelopment* and new residential development which minimize the cost of housing and facilitate compact form, while maintaining appropriate levels of public health and safety.

Servicing

The Functional Servicing Report and Stormwater Management Report, prepared by MTE Consulting has demonstrated that the Proposed Development can be serviced through a connection to the existing municipal water and sanitary services, in keeping Sections 1.1.1.g and 1.6.6.2 of the PPS.

Supporting Long-Term Economic Prosperity

Section 1.7 of the PPS provides a detailed list of policies to support long-term economic prosperity in the Province, including the optimization of land, resources and infrastructure. Section 1.7.1 g) provides for the maintenance and enhancement of mainstreets and Section 1.7.1 a) encourages “residential uses to respond to dynamic market-based needs and provide necessary housing supply and range of housing options for a diverse workforce” .

Planning Analysis

It is our opinion that the Proposed Development and the implementing Application is consistent with the PPS. As outlined in the preamble to the PPS, the policy-led planning systems in Ontario that seeks to address the complex inter-relationships between the pillars that contribute to good land use planning. This includes agricultural protection, creation of complete communities, range and mix of housing supply, long-term economic prosperity and climate change mitigation.

The Proposed Development addresses the existing housing needs in the Town of St. Marys, including a greater range of unit types, sizes, and affordability. It leverages an underutilized property within the settlement area to contribute to the creation of a complete community with a range of land uses.

The Proposed Development addresses matters related to climate change and agricultural protection by providing new housing within the built boundary that alleviates long-term pressure to expand the settlement area.

4-3 THAMES-SYDENHAM & REGION SOURCE PROTECTION PLAN

The Province of Ontario passed the Clean Water Act in 2006 to ensure clean, safe, and sustainable drinking water is available for Ontarians. The intent is to protect water before it enters the municipal drinking water system. All planning decisions shall conform with the policies that address significant drinking water threats as per Section 39 (1) (a) of the Clean Water Act.

The Act established 22 source water protection areas and source protection regions to manage existing and future risks to municipal drinking water sources. The Site is located within the Thames - Sydenham Source Protection Region and is subject to the policies of the Thames - Sydenham Region Source Protection Area (2015).

Map 3-1-10 (St. Marys) to the Source Protection Plan identifies that the Site is within a sourcewater protection area. The Site is not located within a protected area.

4-4 TOWN OF ST. MARYS OFFICIAL PLAN, 1987

The Town of St. Marys Official Plan (OP), adopted in 1987 (Consolidated October 1, 2007), provides a series of policies to “ensure that St. Marys continued to attract new development in balance with preserving the Town’s character and charm.” It is noted that the Town of St. Marys adopted a new Official Plan in 2022; however, the Town is awaiting final approval from the Province of Ontario. Until the new Official Plan (2022) is approved, the existing Official Plan remains in force and effect.

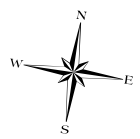
The Site is designated “Residential” on Schedule A to the OP (Figure XX). General goals and principles of the Official Plan (Section 2.1), applicable to the Proposed Development include:

- 2.1.1 Residential areas in St. Marys shall provide a range of housing accommodation suitable for all age groups and household incomes.
- 2.1.2 The Town will endeavour to provide stable, attractive residential areas for all its residents.
- 2.1.4 Owners will be encouraged to maintain and improve the physical condition and economic health of existing buildings in order to allow the Town to capitalize upon its natural and heritage resources and to provide for the integration of new, compatible uses.

Section 3.1 of the OP provides residential objectives and policies and outlines several objectives, including the provision of a range of housing types, the promotion of creativity in new residential development, the promotion of housing for senior citizens and those with accessible needs, and the encouragement of additional housing through intensification, diversification, and intermixing of different housing types and forms. The primary use of land shall be residential, including the full range of housing typologies.

The OP supports residential infilling (Section 3.1.2.3), provided the development is in keeping with the inherent neighbourhood qualities and building type, form, and separation. Further, Section 3.1.2.3 states that “when evaluating the attributes of the neighbourhood, regard shall be given to lot fabric (i.e., area, frontage, and depth), and built form (i.e., setbacks, massing, scale, and height). In cases where one or more of the existing zone provisions are not met, an amendment or a minor variance to the zone provisions may be considered to permit the proposed development provided that the spirit of this Section is maintained.” Preference shall be given to intensification and redevelopment over greenfield development as a means of providing affordability and efficiencies in infrastructure and public services.

SITE



Designation

-  Settlement Area Boundary
-  Town Boundary
-  Water
-  Residential
-  Central Commercial
-  Highway Commercial
-  General Industrial
-  Extractive Industrial
-  Environmental Constraint
-  Recreational
-  Flood Plain
-  Natural Heritage
-  Agriculture

CURRENT OFFICIAL PLAN MAP

Site Location: 428 Queen Street West, St. Marys



Figure:
5

Further to the infilling policies, Section 3.1.2.5 indicates a preference for developments with a mixture of lower and higher densities of development over those consisting of only low densities of development.

Permitted densities (Section 3.1.2.5) include 25 to 40 units per hectare for townhouses and 40 to 75 units per hectare for apartments. The current OP does not contain density provisions for stacked townhouses.

Section 7.24 of the OP provides guidance on the interpretation of the policies within the plan. Section 7.24.2 specifically states that *"it is intended that all figures and quantities contained in this Plan are to be considered as approximate and not rigid. Reasonable variances (minor) from any of the figures or quantities will be permissible providing the intent and spirit of the Plan are preserved."*

Development with a residential density greater than 18 units per hectare shall take into account the following before approval (Section 3.1.2.7):

- a) That the development will not involve a building in excess of three full stories above average finished grade and designed to be in keeping with the general character of the area;
- b) That the physical condition of land proposed for development will not present a hazard to buildings structures and residents;
- c) That the net density of development shall not exceed 75 units per hectare;
- d) That the development is serviced by municipal water supply and sewage disposal facilities and that the design capacity of these services can accommodate such development;
- e) That the proposed development is within 100 metres of an arterial or collector road as defined in Schedule "B" of this Plan; and
- f) That sufficient on-site parking is provided, and adequate buffering, screening or separation distance is provided to protect adjacent areas of lower density housing.

In keeping with the PPS, Section 3.1.2.14 states that Council will encourage affordable housing development, with 30% of the new housing units created being considered by Council as affordable to households with incomes in the lowest 60 percent of income distribution for Perth County households.

Planning Analysis

It is our opinion that the Application conforms to the OP by providing for infilling and intensification within the built-up area, where there is access to services and municipal infrastructure. The proposed residential use is permitted within the "Residential" designation; and the proposed density is in keeping with the maximum permission of 75 units per hectare.

While the Site Plan illustrates a density of 76 units per hectare, it is our opinion that it conforms to the OP. The increase of 1 unit per hectare results in the permission of one (1) extra dwelling unit on the Site. Section 7.24 of the OP states that figures and quantities in the OP are approximate and not rigid, provided the spirit of the plan is preserved. In our opinion, the Proposed Development implements the intent of the OP to promote infilling and intensification in strategic locations, providing land use compatibility is addressed.

The Site is located on an arterial road with access to existing municipal services, optimizing both land and infrastructure for long-term economic prosperity in the Town. Further, the Proposed Development addresses the criteria for increased densities in Section 3.1.2.7, by:

- The proposed overall density can be achieved while providing for safe vehicular and pedestrian access, on-site amenity areas, landscaping, snow storage, accessible parking and screening/fencing.
- The Site is located in a mixed-use area with low-density residential, commercial uses and proposed medium-density residential. The surrounding area is characterized by a range of lot sizes, building typologies and architectural style. The character of the area, in combination with the overall larger size of the Site and frontage on an arterial road, provides an opportunity to intensify the land and contribute to a greater range in housing types.
- The proposed streetscape design on Queen Street West is in keeping with recently approved development and will contribute to a new consistent streetwall. The intent is to bring the buildings closer to Queen Street West to provide strong pedestrian connects and an active street frontage.
- The proposed rear and side yard setbacks are in keeping with the current requirements in the Zoning By-law, and meet or exceed required setbacks for the adjacent residential properties.
- The proposed building height is in keeping with permitted building heights in the adjacent low-density residential area, at 8.15 metres and does not exceed 3 storeys.
- A combination of solid fencing and landscaping is proposed to screen the development from surrounding low-density uses.
- The Proposed Development can be serviced through existing infrastructure on Queen Street West.
- The site design provides for the retention of the majority of existing trees along the property boundaries, with the exception of a small cluster of trees/shrubs that will be required to be removed. The retention of these trees will assist in providing screening and maintaining privacy.
- The Traffic Impact Study and Parking Justification Report confirmed the safe and accessible access is available and the proposed off-street parking meets parking demand in the community.

Land to the south of the Site, beyond land designated as “Residential” on Elgin Street, is designated as “Extractive Industrial”. Consideration has been given to the potential impact of new residential development on the Site, limiting the future expansion of mineral aggregate extraction on the lands to the south. In our opinion, the potential to expand the mineral aggregate extraction to land to the south is already constrained by the intervening residential (sensitive land uses) on Elgin Street. Further, at the time of the Town’s comprehensive Official Plan Review, planning staff recommended and Council approved maintaining the residential land on Elgin Street.

It is also noted that the potential future expansion area for mineral aggregate extraction has extensive tree cover, and the proponent of any future expansion may require environmental studies to confirm that it will have no impact on any natural features and/or functions.

In summary, it is our opinion that the Proposed Development addresses the policies in the OP by providing a mix of housing density and an expanded range of affordable and attainable dwelling units.

4-5 ADOPTED TOWN OF ST. MARYS OFFICIAL PLAN REVIEW, 2022

The Town of St. Marys adopted a new Official Plan (“new OP”) on April 12th, 2022 and forwarded to the Province of Ontario for final approval. Until such time as formal approval is issued by the Province, the 1987 OP remains in force and effect. However, Council's adoption of the new OP provides Council intent for the overall vision, goals and form of development moving forward within the Town.

The Site continues to be designated “Residential” on Schedule A to the new OP, which permits stacked townhouse dwelling units. The permitted maximum densities have been increased in the new OP, with a maximum of 90 units per hectare.

In keeping with the Provincial Policy Statement, the new OP has an increased emphasis on infill and intensification (Sections 3.1, 3.1.1, 3.1.2) and support for affordable housing (Section 3.1.2.16)

The new OP includes additional policies for intensification/infilling as well as for townhouses and apartment dwellings. The following table provides an overview of the new policies and an assessment in relation to the Proposed Development.

Table 3-2: Assessment of OP Policies

Policy		Response
3.1.2.3.1 General Policies for New Development and Intensification/Infill		
a)	Development shall respect the existing character of the surrounding neighbourhood through compatible and complementary building siting, massing, height and scale.	The Proposed Development does not alter the existing lotting fabric, and seeks an overall site design that orients the buildings to the street frontage and maintains a similar housing style with pitched roof lines.
b)	Proposed land uses and development should have minimal impacts on adjacent properties in relation to grading, drainage, shadowing, access and circulation, and privacy.	The Applicant is proposing a combination of fencing and planting areas to screen the Proposed Development from the adjacent residential properties. The proposed buildings have been limited in height to 2.5 storeys to minimize the potential for shadowing.
c)	Existing trees and vegetation should be retained and enhanced where possible and additional landscaping should be provided to integrate the proposed development with the existing neighbourhood.	The majority of trees and shrubs along the property lines are proposed to be maintained, except for along the road frontage and a small area for the garbage enclosure.

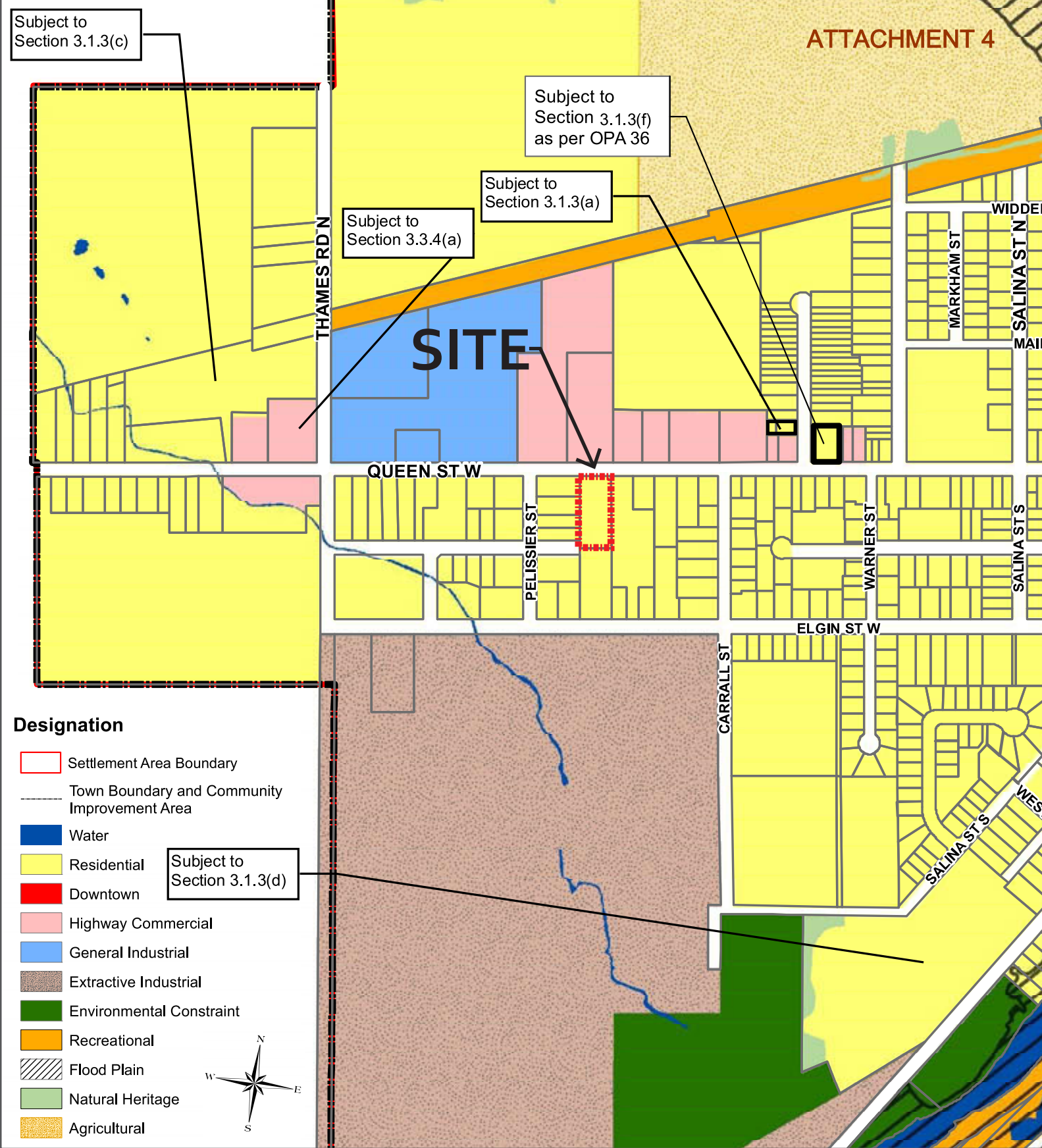


Figure:
6

**ADOPTED (NOT YET APPROVED)
OFFICIAL PLAN MAP**

Site Location: 428 Queen Street West, St. Marys

Policy		Response
		Interior trees will be required to be removed to accommodate the Proposed Development. Through the required Site Plan Application, landscaping details will be provided to demonstrating screening and any required compensation for tree removals.
3.1.2.3.3 Policies for the Development of Townhouse, Multiple and Apartment Dwellings		
a)	The location and massing of new buildings should provide a transition between areas of different development intensity and scale. Appropriate transitions can be achieved through appropriate setbacks or separations of buildings, changes in densities and massing, and the stepping down of building heights.	The Proposed Development utilizes an existing property with frontage on an arterial road with access to municipal services. A transition in height and density is proposed, with increases in height to 2.5 storeys. It is noted however, that the surrounding land uses comprise a range of uses, being both residential and commercial and with new approved development, have heights up to 3 storeys. The buildings on the Proposed Development have been oriented such that the where there is a shorter end building wall, a setback of 4.5m is provided; however, where there is the long building wall, a setback of 10 metres is provided.
b)	Development will not involve any building in excess of four full storeys (with the exception of Medium/High Density Residential lands) and designed to be in keeping with the general character of the area. Lesser building heights may be appropriate based on the policies of this Plan.	No buildings are greater than four storeys.
c)	The net density of development shall not exceed 90 units per hectare, and lower densities may be appropriate based on the policies of this Plan.	The Proposed Development provides a density of 76 units per hectare.
d)	The proposed development has frontage onto or is located within 100 metres of an arterial or collector road as defined in Schedule "B" of this Plan.	The Site fronts onto an arterial road on Schedule "B".
e)	When considering building heights, potential shadowing impacts, views onto adjacent lower	Through the provision of 2.5 storey building heights and setbacks ranging between 4.5m and 10m, minimal

Policy		Response
	density lots and abrupt changes in scale should be considered.	shadowing is anticipated to surrounding land uses.
f)	Proposed development shall be located on a site that has adequate land area to incorporate required resident and visitor parking, recreational facilities, landscaping and can provide adequate buffering, screening or separation distance to protect adjacent areas of lower density housing.	In addition to the buffering noted below, the Parking Justification Study has concluded that sufficient off-street parking has been provided for the Proposed Development.
g)	The exterior design of buildings should be compatible with the materials and characteristics of existing buildings in the neighbourhood, including materials, colours, architectural detail, landscaping, and streetscape elements.	The Proposed Development includes building materials, window placement and roof lines to provide architecture interest and compatibility with surrounding land uses. A combination of stone and brick are proposed for the exterior building walls, along with porch projections, and variations in roof lines and heights.
h)	The preservation and protection of the natural open space system, cultural heritage resources, views and vistas shall be considered in the design of new development.	The Site is not identified as a natural open space or cultural heritage resource.
i)	Proposed development will not create a traffic hazard or an unacceptable increase in traffic on local roads.	The Traffic Impact Study demonstrated that the Proposed Development will no create any traffic hazards or unacceptable traffic on the local roads.
j)	Generally, there should be minimal changes to existing site grades.	Proposed site grading has been designed to provide for required management of stormwater, while minimizing grade changes and the need for retaining walls to a height of 0.6 metres to 1.0 metres.

The Proposed Development conforms to the new OP.

4-6 TOWN OF ST. MARYS ATTAINABLE HOUSING ACTION PLAN

In 2023, the Town of St. Marys approved the Opening Doors: An Attainable Housing Action Plan to create 200 new rental dwelling units in St. Marys by 2027, with 30 of these dwelling units being attainable.

For the purposes of the Plan, the Town defined attainable housing as:

There are no consistent or clear definitions for Attainable Housing. Subject to revisions that may be required with provincial regulations or other programs, where capitalized, Attainable Housing in this report is proposed to mean any additional new housing units advanced through existing or planned developments that are established through the intentional municipal policies, authorities, land, or funding programs used to help create them. Where applicable, these units may also include affordable housing units. This report does not intend to change existing definitions of affordability, noting that affordability criteria may also be defined by specific government programs (such as through CMHC)., In this way, the expectations related to Attainable Housing are aligned with the defined term.

Included in the action plan to create more attainable housing is to amend the Zoning by-law to permit secondary units and more efficient, cost-effective housing.

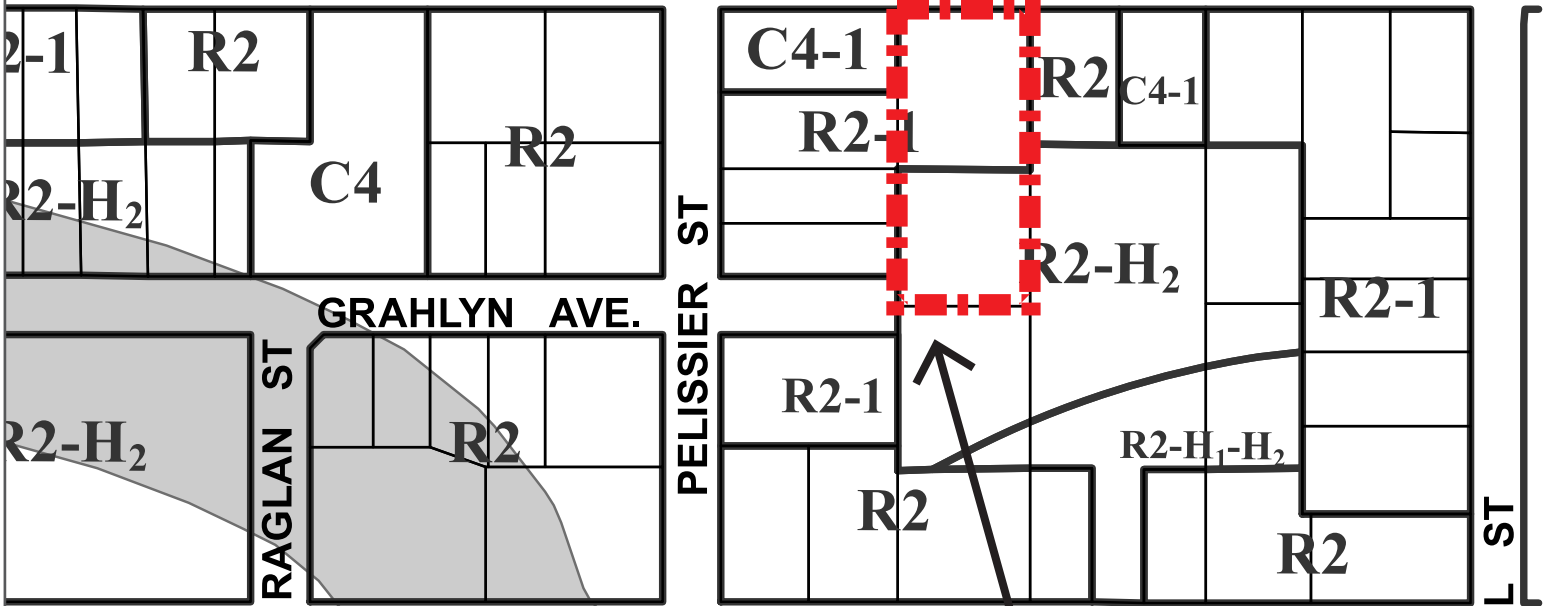
4-7 TOWN OF ST. MARYS ZONING BY-LAW, 1997

The Town of St. Marys Zoning By-law (By-law), adopted in 1997, zones the Site as “Residential Zone Two (R2)” and “Residential Zone Two (R2-H2)” (Figure 5). The R2 zone permits low-density residential uses.

Through the Zoning By-law Amendment Application, it is requested that the Site be rezoned to “Residential Five Zone (R5)” with the following site-specific regulations (Figure 6):

12.9.XX	<p>Notwithstanding the provisions of Section 12, the following additional uses shall be permitted: Stacked Townhouse dwelling units, defined as “a building containing 3 or more Dwelling Units, with each dwelling unit may be separated either or both vertically and horizontally, and may have a private independent entrance from a yard or a shared entrance from a common corridor, vestibule, or landing.”</p> <p>Notwithstanding the provisions of the By-law to the contrary, the following zone requirements shall apply to the additional permitted use:</p> <ul style="list-style-type: none"> xv. Minimum Lot Frontage: 25 metres xvi. Minimum Front Yard Setback: 0.5 metres xvii. Minimum Rear Yard Setback: 7.5 metres xviii. Minimum Side Yard Setback: 4.0 metres xix. More than one building may be erected on a lot provided that the separation distances between buildings shall be according to all applicable requirements of the Ontario Building Code, as amended, and in compliance with the following: <ul style="list-style-type: none"> c) the minimum distance between two exterior walls of different buildings facing each other, neither of which is an end wall, where either or both of the exterior walls contain a window to a habitable room, shall be 10.0 metres. d) the minimum distance between two end walls of different buildings shall be 5 metres. xx. Maximum Lot Coverage: 35% xxi. Maximum Density: 90 units per hectare
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QUEEN ST W.



SITE

M3-H







-  Parcels
-  Zoning By-law Boundaries
-  Heritage Classified
-  UTRCA Regulation Limit

Figure:

7

ZONING BY-LAW

Site Location: 428 Queen Street West, St. Marys



BAKER
 Planning Group

xxii.	Minimum Landscaped Open Space: 35%
xxiii.	Maximum Building Height: 12.0 metres
xxiv.	Minimum Off-Street Parking: 1.3 spaces per Dwelling Unit;
xxv.	A planting strip shall be required in accordance with the provisions of Section 5.25, where an interior side or rear lot line of a lot abuts a lot that is: <ol style="list-style-type: none"> a. in a Residential Zone or a Residential (-H) Holding Zone b. used for residential purposes; and shall constitute one of the following, or any combination of the following: <ol style="list-style-type: none"> 4. A planting strip with a minimum width of 1.0 metres, planted with trees, evergreens, and/or shrubs, which at the time of planting shall be 1.0 metres in height and they must be of such a species or type so as to achieve a minimum height of 2.0 metres at maturity 5. Existing trees and/or shrubs; and/or 6. Solid wood fence with a minimum of 2.0 metres in height
xxvi.	Driveway requirements: no ingress or egress driveway shall be located closer than 1.0 metres to any side or rear lot line.
xxvii.	Steps, and patios, whether they be covered or uncovered, and unenclosed porches and verandas may project into any required front yard, side yard, and rear yard, a distance of not more than 1.8 metres. Where lands have been comprehensively planned and are subject to an approved site plan and associated agreement pursuant to Section 41 of the <i>Planning Act</i> , any zoning deficiencies resulting from the creation of condominium units, shall be deemed to comply with the regulations of the By-law, provided that all applicable regulations of the By-law relative to the whole lot and its external lot lines existing prior to any condominium plan registration are complied with.

In our opinion, the proposed range of uses within the site-specific zoning is appropriate and compatible with the surrounding uses. The Site is located within a mixed-use area that contains both residential and commercial uses. The proposed building setbacks have been intentionally developed to recognize the abutting land uses, maintain greater spacing and setbacks to the low-rise residential uses and implement a series of screening options.

The site-specific provisions further recognize the following:

- The reduced front yard setback is appropriate in the context of the required 5.0 metre road widening on Queen Street West and the general direction through recent planning approvals to provide a strong street edge with buildings and landscaping.
- A combination of screening methods is proposed to ensure there are opportunities to retain the existing tree cover along the property lines, and utilize fencing and/or new planting when additional screening is required.
- The proposed off-street parking rates reflects the surveyed demand for parking documented in the Town by TraffMobility and is determined to be appropriate for the type and size of dwelling units proposed.

- Building setbacks internal to the development and to external property lines have been proposed that meet the intent of existing provisions in the R5 Zone for privacy, spacing and compliance with the Ontario Building Code.
- A maximum density of 90 units per hectare is proposed to implement the approved (not adopted) OP to ensure long-term conformity to the vision and direction of the Town. Given the current OP density limits, the Applicant will only be permitted to develop the Site for 76 units per hectare until the new OP is approved by the Province of Ontario.
- A site-specific provision is proposed to provide the ability to allow for a phase development and registration of the Plan of Condominium, provided that the development has been comprehensively designed and approved by the Township and the appropriate securities and site plan agreement can be completed.

5 SUMMARY

The Owner and Applicant are proposing to redevelop an existing residential property within the settlement area of the Town of St. Marys to achieve the following objectives:

- Intensifying an underutilized property located within a settlement area and on an arterial road that has access to existing and planned infrastructure;
- Supporting alternative modes of transportation, including pedestrian movements and connections to the community;
- Diversifying the range and type of housing in the community with the provision of smaller, more attainable units;
- Contributing affordable and attainable housing units to the St. Marys market; and,
- Creating a well-designed site that integrates a housing typology into the existing mixed-use area.

The Application is consistent with the Provincial Policy Statement and has regard for matters of Provincial interest. The Proposed Development supports key municipal objectives, including the Opening Doors initiative, which addresses existing housing shortages in the community.

As outlined in this Report, the proposed site-specific regulations are appropriate and reflective of the specific form of development proposed the context and location of the Site in St. Marys, and the transition to contemplative zoning provisions that support intensification and housing affordability.

Based on the foregoing analysis within this Report, it is our opinion that the Proposed Development and the implementing Application is in the public interest, is appropriate, and represents good land use planning.



FORMAL REPORT

To: Mayor Strathdee and Members of Council

Prepared by: Doug LaPointe, Recreation Operations Manager

Date of Meeting: 11 June 2024

Subject: **DCS 39-2024 Minor Hockey Ice Allocation Policy Request**

PURPOSE

The purpose of this report is to summarize a written request by the St. Marys Minor Hockey Association (SMMHA) to obtain additional ice currently used by the Alliance Association's Huron Perth Lakers AAA (Lakers) hockey organization. Through this report staff have attempted to outline how ice allocation currently works and have identified options for Council to consider in granting or denying the written request from SMMHA.

RECOMMENDATION

THAT DCS 39-2024 Minor Hockey Ice Allocation Policy Request report be received; and

THAT Council direct staff to proceed with Option _____ as outlined in DCS 39-2024 report and the ice allocation policy be modified (as necessary) to reflect these changes and to be returned to Council for future approval.

BACKGROUND

The Pyramid Recreation Centre (PRC) debuted as a twin-pad facility in 2006, allowing for steady use and/or healthy growth of the local minor hockey, ringette, and junior B hockey programs since its onset. When the facility was first constructed, the availability of ice times far outweighed the initial demand, thus the Town took steps to plan and organize ice allocation in ways which both accommodated existing local programs as well as made the facility available to external ice users at both the minor sports level and adult level.

Today, ice allocation is governed by the Town's Ice Allocation Policy. An excerpt of this policy is provided below because it is relevant to Council's discussion:

Purpose of the Ice Allocation Policy

The Town of St. Marys has a Recreation and Leisure Master Plan that promotes a range of recreation opportunities for a range of individuals and groups. The Town reserves the exclusive right to set a fair and balanced schedule for all ice users and has the right to schedule and book as needed. This is to ensure all users and associations have access to the facility in a fair and equitable way, in line with the priorities and guidelines included in this policy.

The Town has an inventory of two ice pads.

The purpose of this policy is to:

- Clearly define and communicate how ice will be managed, allocated and distributed*

- *Serve as a guide for the ice allocation process*
- *Promote and encourage participation in ice sports to the overall benefit of the community.*

The policy identified in this document is to establish and clarify [sic] the Town's responsibility for ice allocation, facility administration and its commitment to the management of:

1. *Fair and equitable ice allocation that maximizes use of the facility.*
2. *Fiscally responsible ice facility operations.*
3. *Processing of tournaments, special events and seasonal ice rentals:*
4. *Special event management.*
5. *General administration requirements.*
6. *Facilitate opportunities for active and healthy lifestyles.*
7. *Safe and accessible services for all people.*

Ice Allocation Responsibility:

The Town of St. Marys has the responsibility to manage the allocation and distribution of ice on an annual basis to reflect population, registration, utilization, and participant patterns. The Director of Community Services or their designate will be responsible for the implementation of the policies as outlined.

The Town of St. Marys Community Services Department will responsibly manage its ice resources to ensure optimum usage and programming, to reflect the goals of the Town's Strategic Plan and Recreation and Leisure Master Plan.

While the Town will aim to accommodate preferences, consideration will be given to optimum use of available ice.

Historical Precedent

It is recognized that it is advantageous to maintain a reasonable amount of consistency in ice time scheduling from year to year and therefore due consideration will be given to the allocation of ice according to previous years. Significant changes to ice allocation shall be based on significant changes to registration levels and composition or other emerging trends and needs.

Ice Allocation and Distributions

Ice will be allocated utilizing the following order of priority:

1. Municipal Programs

Defined as programs offered by the Town of St. Marys to provide an opportunity for community residents (open to the public), to utilize our facilities through drop-in public skate/shinny hockey, public swim, camps, and other registered programs offered for the Town.

2. Special Events and Tournaments

International, National, Provincial and Regional multi-sport/recreational event or event which are sanctioned by the appropriate governing body, and which bring recognition to or increase the public profile of the Town of St. Marys.

3. Minor Youth and other Non-profit Youth Organizations within the Town

Defined as at least having 80% of the registered players being residents of the Town of St. Marys and Perth South and the primary purpose of the organization is to offer, and involve, individuals in recreation, athletic, cultural, or social activities. The Town

reserves the right to ask for participant information to confirm this condition is met. The Town will not use this information for any other purpose.

One hundred percent of the participants must be 18 years of age or under prior to December 31st of that year's session and/or the age as outlined in the existing provincial or national governing bodies.

4. Junior B St. Marys Lincolns

5. Schools

A publicly funded school or a "not-for-profit" school recognized by the Province of Ontario as an education institution, located in the Town of St. Marys within the areas subject to the Reciprocal Agreement.

6. Adult Non-profit Organizations within the Town

Defined as at least having 80% of the registered players being residents of the Town of St. Marys and Perth South and the primary purpose of the organization is to offer, and involve, individuals in recreation, athletic, cultural, or social activities.

The age of the participant is greater than that which qualifies as a youth organization.

7. All other Town user groups

Defined as any use by an organization or individual where the purpose is to generate activity for the "public good" of the community or to generate funds which will be put to a "public good" in the community.

8. Non-resident groups

Defined as any use by an organization or individual where organization, group, or individual does not reside or operate within the Town of St. Marys.

9. Commercial Operations

Defined as private sector groups or individuals whose primary purpose in booking the facility is to make a profit.

To facilitate ice allocation, each year in late-May/June staff hosts a meeting of the primary ice users at the PRC (SMMHA, St. Marys Minor Ringette Association, the Lincolns, and the Lakers). At this meeting staff presents a draft ice schedule for the users to consider. The draft schedule is developed based on historical use so that users have access to the same number of hours they have used year over year. In the meeting staff ask for feedback on the proposed ice schedule and collect any request for additional ice or changes to the schedule. A final ice schedule is developed, and staff reserve the right to mediate specific ice time scheduling if groups require adjusting or if conflicting requests arise. Historically, staff mediation does not always result in much more than updating tournaments and regular ice time availability. Generally, the ice user groups work together to adjust and change ice times to best meet their collective needs. Overall, ice allocation works well, and user groups are typically able to find a compromise.

Periodically, ice needs change as program changes occur, and if ice needs drop for any reason, the unused ice is submitted to the collective group to be picked up by another of the four main user groups. Typically, Town staff work with SMMHA the most with respect to ice time adjustments as their program does see regular change year over year. Attached to this report is a letter from the SMMHA indicating that they require additional hours of ice for their program, with a specific request of being given the ice times on weekends that are currently provided to the AAA Lakers program. The rationale for this request is that SMMHA has been reclassified as an "A" centre following Ontario Minor Hockey Association recommendations. As a result of this change, SMMHA is reporting that they require more ice because they have more teams under the "A" structure and there is an increased demand for developmental

programs. However, this ice is unavailable due to an increased demand for ice at the PRC. For the 2024-2025 season, SMMHA are actively considering renting ice out of Town (i.e. Embro) to meet their needs. SMMHA are concerned about the impact of this decision on SMMHA members and the perception that SMMHA’s home facility is not available to meet their own local user needs while accommodating the Lakers program which sees mostly out of town registrants participate and benefit.

Additionally, SMMHA also share concerns that they have received complaints from members who are concerned that SMMHA teams must practice at 4:00 p.m. and 4:45 p.m. on weekdays whereas the Lakers are practicing during the preferable later primetime slots on weekdays. Thus, SMMHA feel that a locally based association should be given a higher priority.

The balance of this report will provide information on the current use of ice at the PRC, the history of the Lakers ice allocation, and options for Council to consider when responding to the request from SMMHA.

REPORT

Current Ice Allocation at the PRC

A chart showing the ice allocation schedule for the 2023–24 season is shown following. The chart only indicates usage during prime-time hours, and staff point out the following observations:

- At the present time, prime-time ice (Monday-Friday 5:00 p.m-10:00 p.m., Saturday/Sunday 8:00 a.m.- 8:00 p.m.) has been almost exclusively allocated between SMMHA, St. Marys Minor Ringette Association, the Lincolns, and the Lakers, with some less desirable hours allocated to local adult groups.
- The following is a breakdown of each user group’s regularly allocated hours per week:

Group	Hours per week
Minor Hockey	77
Ringette	13
Lincoln’s	7
AAA	7.5
Adult Groups total	7.5

- The Lakers currently utilize the Rock Rink on Saturdays and Sundays from 1:00-4:00 p.m., and Thursdays from 5:45 p.m. – 7:15 p.m.
- SMMHA ice times begin as early as 4:45 pm on weekdays, and end as late as 10:00 pm.

ICE ALLOCATION 2023-24 season

MONDAY				TUESDAY			
TIME	BLUE	TIME	ROCK	TIME	BLUE	TIME	ROCK
4:45-5:45	SMMHA	4p-5p	Open	4:45-5:45	SMMHA	4p-5p	SMMHA
5:45-6:45	SMMHA	5p-6p	SMMHA	5:45-6:45	SMMHA	5p-6p	SMMHA
6:45-7:45	SMMHA	6p-7p	SMMHA	6:45-7:45	Ringette	6p-7p	Ringette
7:45-8:45	SMMHA	7p-8:30p	SMMHA	7:45-8:45	Ringette	7p-8p	Ringette
8:45-9:45	SMMHA	8:30-10p	SMMHA	8:45-10:15	Lincolns	8p-9p	SMMHA
9:45-10:45	Open	10-11p	Open	10:15-11:15p	Open	9p-10p	SMMHA
WEDNESDAY				THURSDAY			
TIME	BLUE	TIME	ROCK	TIME	BLUE	TIME	ROCK
4:45-5:45	SMMHA	4p-5p	Open	4:45-5:45	SMMHA	4p-5p	Open
5:45-6:45	SMMHA	5p-6p	SMMHA	5:45-7:15	AAA	5p-6p	SMMHA
6:45-7:45	SMMHA	6p-7p	SMMHA	7:15-8:15	Ringette	6p-7p	Ringette
7:45-8:45	SMMHA	7p-8:30p	SMMHA	8:15-9:45	Lincolns	7p-8:30p	SMMHA
8:45-9:45	SMMHA	8:30-10p	SMMHA	9:45-10:45	Open	8:30-10	SMMHA
9:45-10:45	Model T's	10-11p	Open				
FRIDAY							
TIME	BLUE	TIME	ROCK				
4:45-5:45	SMMHA						
5:45-6:45	SMMHA	4:30p-5:30p	Can Skate	Municipal Program			
6:45-7:45	SMMHA	5:30p-7p	Can Skate				
7:45-8:45	SMMHA	7pm	Lincolns				
8:45-9:15	SMMHA	to					
9:15-10:45	TSUNAMI	10p	Lincolns				
SATURDAY				SUNDAY			
TIME	BLUE	TIME	ROCK	TIME	BLUE	TIME	ROCK
7:45-9:15	SMMHA	7:30a-9a	SMMHA	7:45-9:15	SMMHA	7:30am-9am	SMMHA
9:15-10:45	SMMHA	9a-10a	Ringette	9:15-10:45	SMMHA	9-10a	SMMHA
10:45-11:45	Ringette	10a-11a	Ringette	10:45-11:45	SMMHA	10-11am	SMMHA
11:45-12:45	SMMHA	11a-12p	Ringette	11:45-12:45	SMMHA	11-12pm	SMMHA
12:45-1:45	SMMHA	12p-1p	Ringette	12:45-1:45	SMMHA	12p-1p	SMMHA
1:45-2:45p	SMMHA	1p-2:30pm	AAA	1:45-2:45p	Lincolns	1p-2:30pm	AAA
2:45-3:45p	SMMHA	2:30p-4pm	AAA	2:45-3:45p	Ringette	2:30p-4pm	AAA
3:45p-4:45p	SMMHA	4-5pm	SMMHA	3:45p-4:45p	Ringette	4p-5p	SMMHA
4:45p-5:45p	SMMHA	5-6pm	SMMHA	4:45p-5:45p	SMMHA	5-6p	SMMHA
5:45p-6:45p	SMMHA	6p-7p	SMMHA	5:45p-6:45p	SMMHA	6-7:30p	SMMHA
6:45-7:45p	SMMHA	7p-8p	SMMHA	6:45p-7:45p	NBC	7:30p-8:30p	SMMHA
7:45-8:45p	Open	8-9:00p	SMMHA	7:45p-8:45p	NBC	8:30-10p	SMMHA
8:45-9:45p	Weekend Warrior	9:00-100p	Open	8:45p-9:45p	NBC	10-11p	Open
				9:45p-10:45p	NBC		

History of AAA Lakers Ice Allocation

The Lakers program does not operate with any one centre being their home base. Instead, the Lakers depend on cooperation with several municipalities in their district to access ice for their program. The Lakers are one of the minor sports groups which has utilized the PRC since it was built. Over the last 15 years, it has been the practice of the Town to involve the Lakers in the ice allocation process each year, however their prioritization in the process has varied.

Under the Ice Allocation Policy, the Lakers are technically defined as #8, *A Non-Resident Group*. The group does not meet the definition of #3 *Minor Youth and other Non-profit Youth Organizations within the Town* as they do not have 80% of their members or more being from St. Marys or Perth South.

However, several years ago when there were ice vacancies at the PRC, an administrative decision was made to give the Lakers the same priority level as local St. Marys ice users in the Town's Ice Allocation Policy. At the time of the decision, there were no consequences to the local St. Marys ice users because there was ample supply of ice times. SMMHA was in a period of preferring to book weekday ice opposed to booking weekend hours of ice at the PRC. As a result, many hours of available ice on the weekends sat vacant during the afternoons on both Saturdays and Sundays, unless there was a tournament, and the Lakers were allocated these times to fill the vacancies.

Since then, the Lakers have participated in the ice allocation process as a #3 priority ice user, working with the local minor sports ice users and the Lincolns to determine regular ice times for the ice season. The amount of ice time AAA has used at the PRC does fluctuate from season to season, with 7.5 hours per week used in the 2023/24 season. This is close to their average annual usage since 2016. The Lakers use weekday ice at the PRC for practices, and weekend ice is used to host games. In addition, the Lakers also host a showcase weekend in October and "Laker Day" in October.

Options for Council to Consider

As noted, the historic practice employed by staff has been to treat the Lakers as a #3 priority local minor program. The starting point for annual ice allocation is historical usage, and each year the Lakers have been provided the opportunity to book their typical annual hours in their typical time slots.

However, ice usage has seen a steady growth to the point where demand has now outpaced the supply of the most preferable prime-time ice slots. As a result, staff require direction from Council on how to administer the request from the SMMHA to be given access to ice times historically reserved for the Lakers. The following options are presented for consideration:

Option 1 -- No changes to existing policy or process:

With this option the Town would continue to designate the Lakers as a priority #3 local ice user. The process of holding regular ice allocation meetings with the four primary ice users would continue as it does today, and staff would work with them to fill all available open ice while mediating between the groups to allocate ice in a fair and equitable way.

In this scenario, SMMHA is likely unable to secure the 6 additional hours of ice each weekend as per their request and may decide to rent ice out of Town to run more programs.

Option 2 -- Move AAA to a New Priority # 5 in the Ice Allocation Policy:

With this option the Town would create a new designation for the Lakers specifically and insert them as a new #5 on the priority list following the Jr. B Lincolns. Currently #5 is designated for school use through the reciprocal agreement. However, moving schools down in priority would not cause an issue as access to ice times do not currently conflict with minor sports groups or the Lincolns.

Under this scenario, the Lakers would have access to ice, but it may not necessarily be their preferred time. Ice would be offered and allocated in accordance with the priority outlined in the policy, meaning that SMMHA, St. Marys Minor Ringette Association and the Lincolns would get first preference before the Lakers. However, the Lakers would be given priority over other ice users, namely the adult ice users who may be forced to take later times than they have traditionally been used to.

In all situations, staff attempt to mediate the requests of ice users when they conflict, with a goal of finding compromise so that all users get a little bit of what they want. With this option, staff would look further into SMMHA's written request and would attempt to alter the ice allocation in a way which will best service the overall needs of ice users and to ensure the maximum amount of ice is sold at the PRC. However, if common ground cannot be found when there is a conflicting request for ice, the

default approach is to use the priority of the Ice Allocation Policy to determine who gets what, meaning that SMMHA and St. Marys Minor Ringette Association would have first access to ice that has historically been booked by the Lakers.

Option 3 -- Move the Lakers to Priority #8 in the Ice Allocation Policy:

With this option the Town would designate the Lakers as a #8 Non-Resident User Group. This category is defined as any use by an organization or individual where the organization, group, or individual does not reside or operate within the Town of St. Marys.

This option could realistically see the Lakers program adversely affected. In this scenario, all ice users (including local adult users) who are higher than a #8 ranking would receive the ice they require and the Lakers would be left with the option to pick up any leftover ice not already sold. This option could leave the Lakers with very little options for ice in the Town of St. Marys, save and except the early weekday times that may no longer be needed by SMMHA.

FINANCIAL IMPLICATIONS

In the short term, no financial implications are likely as it is assumed SMMHA will increase their weekly ice usage from 77 hours per week, to 83 hours per week, effectively replacing the hours currently booked by the Lakers.

In the long term, the risk to the Town is that a decision to re-prioritise the Lakers may frustrate the organization and result in them opting to remove their program entirely from the PRC if they can secure ice elsewhere. Should local ice user registration numbers decline in the future, the Lakers may not opt to resume ice rentals at the PRC, meaning that vacant ice could exist.

SUMMARY

SMMHA has submitted a written request asking Council to reconsider the priority designations given to ice users, specifically the designation given to the Huron Perth Lakers AAA organization.

Staff are asking Council to consider three options for moving forward:

1. The Lakers program continue to be considered a local ice sports user as has historically taken place;
2. The Lakers be designated within a new category specific to their program similar to, but following, the Junior B Lincolns team and ahead of adults and other town user groups, or
3. The Lakers be considered a non-resident user group.

STRATEGIC PLAN

Not applicable to this report.

OTHERS CONSULTED

The letter of request received from SMMHA is attached to this report.

The AAA Lakers are aware of this request, and contacted staff to ask for the ability to submit a letter explaining how the SMMHA request may affect them. As of the time of printing the agenda a letter was not received.

Report Approval Details

Document Title:	DCS 39-2024 Minor Hockey Ice Allocation Policy Request
Attachments:	SMMHA Ice Request.pdf
Final Approval Date:	June 4, 2024

This report and all of its attachments were approved and signed as outlined below:

Stephanie Ische

Brent Kittmer



May 21, 2024

Mr. Brent Kittmer
Chief Administrative Officer
175 Queen Street East
St. Marys, Ontario N4X 1B6

Dear Brent,

On behalf of St. Marys Minor Hockey, I am writing to formally request St. Marys Minor Hockey be allocated the prime Saturday and Sunday 1-4pm Rock rink ice times currently allocated to Huron Perth Lakers. St. Marys Minor Hockey has seen a growth in ice usage the past few seasons and would appreciate access to these prime weekend ice times for the benefit of our local St. Marys players and families.

Our understanding is that at some point in the past the Huron Perth Lakers were determined to be a "local sports team" for the purposes of ice allocation. The Lakers have very few players from St. Marys and our player zone. For example, only 7 St. Marys players (representing only 5% of total Lakers players) are playing Lakers hockey across all ages. Lakers teams are made up of predominantly players from other communities and some are not even from Lakers zone due to F1 transfers from other towns outside their zone. It's becoming more difficult and unacceptable to explain to our local St. Marys families why they need to accept less than ideal ice times, while outside teams access prime ice. Huron Perth Lakers can still access ice, but priority should be given to our St. Marys players and families in alignment with the ice policy.

St. Marys Minor Hockey has seen an increase in ice needs over the past few years. In addition to hosting more teams, we have been delivering player and goalie development programs. These development programs are geared to our registered St. Marys players.

St. Marys Minor Hockey is the PRC's largest ice user from the start of September to late May. As the largest ice user, we understand we need to share in less-than-ideal ice times and have done so for many years. For example, we have players and coaches arriving at the arena shortly after 3pm for 4pm ice and leaving at 10:30pm weeknights. These times place pressure on working coaches and families. No other ice user is on the ice as early or as late as St. Marys Minor Hockey families.

Thank you for your time in considering our request on behalf of local St. Marys players and families. If you wish to discuss, please don't hesitate to reach out.

Sincerely,

A handwritten signature in black ink, appearing to read "Mark Brintnell".

Mark Brintnell
President SMMHA



FORMAL REPORT

To: Mayor Strathdee and Members of Council

Prepared by: Dave Blake, Environmental Services Manager

Date of Meeting: 11 June 2024

Subject: **PW 31-2024 Aggregate Resource License Surrender for Pit No. 4489**

PURPOSE

This report presents information to Council regarding gravel pit No. 4489 located on Thomas Street in St. Marys and the planned aggregate resource licence surrender.

RECOMMENDATION

THAT PW 31-2024 Aggregate Resource License Surrender for Pit No. 4489 report be received; and
THAT Council authorize the Mayor and the Clerk to sign the necessary request for surrender of gravel pit No. 4489 on behalf of the Town of St. Marys.

BACKGROUND

In the early 1990's, the Town of St. Marys had the need for an aggregate pit to assist with municipal infrastructure needs. As such, a license was requested, and subsequently approved for an aggregate pit on Thomas Street.

Aggregate Site No. 4489 ("the Site") is located on Thomas Street in St. Marys and is classified as a "Class B" gravel pit that spans 3.94 ha with a maximum annual production capacity of 20,000 tonnes. The pit received site plan approval on February 21, 1991.

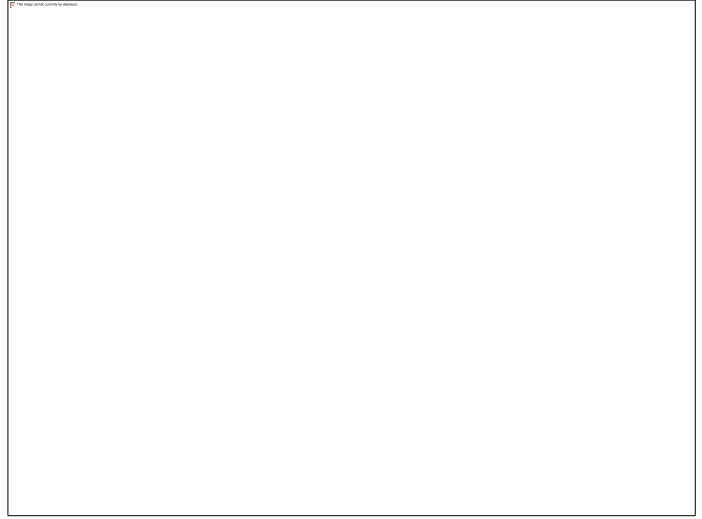
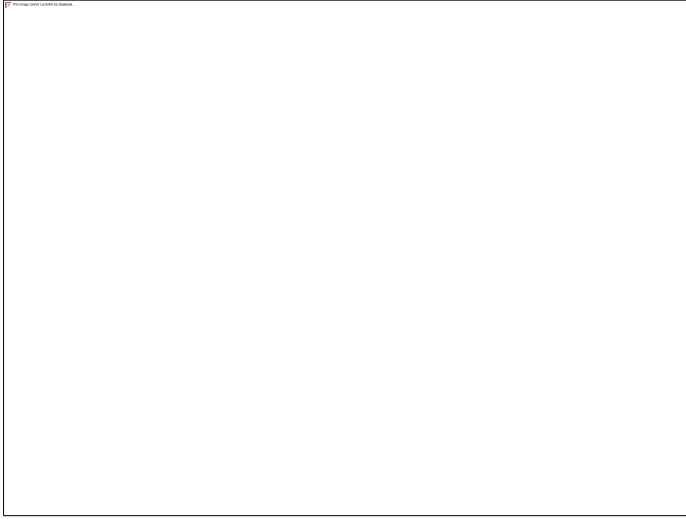
The pit at the Site operated as needed for the Town from that time through to circa 2003 when it is believed that the materials at the pit were exhausted. Following this time, the Town eventually made the move to a more environmentally sustainable practice of recycling concrete and asphalt as a means to provide granular materials for municipal projects which continues to this day.

See attachment No. 1 herein (red outline) for the location of Pit No. 4489.

While progressive rehabilitation occurred sporadically after 2003, it was not until a large volume of soil became available in 2013 from a new subdivision development that allowed for substantial backfilling and rehabilitation to occur.

In accordance with Note 12, Map 1 of the Site Plan Approval, rehabilitation was to include backfilling of the excavated area plus random planting of red and silver maple trees. A topographic survey was completed of the Site in 2018 to confirm suitable backfilling had occurred, which was followed by random plantings of red and silver maples in 2019.

As the Site has been undisturbed for a number of years, additional naturalization and native tree growth has occurred. Images of the Site, collected as part of an inspection by staff on March 6, 2024, can be seen below.



This report is provided to Council to seek the necessary direction and signing authority to complete the aggregate resource license surrender for Pit No. 4489.

REPORT

For an aggregate license to be surrendered, the Site must be rehabilitated in accordance with the final rehabilitation requirements of the Site Plan. A surrender request should only be submitted once this has been completed.

Based on historical works completed at the Site from 2013 through 2019, as well as a topographic survey of the Site, and discussions with Ministry of Natural Resources and Forestry personnel, staff is of the opinion that the pit has been suitably restored in accordance with the Site's rehabilitation requirements.

In discussions with Ministry of Natural Resources and Forestry personnel, to process a license surrender, the Aggregate Section of the Ministry of Natural Resources and Forestry requires a formal request letter from the licensee. If the site is licenced/permitted to a corporation, the request for surrender shall include documentation that proves the requester has the authority to make such a request. In the Town's case, signing authority.

In discussions with the Clerk, a resolution of Council authorizing the Mayor and the Clerk to sign the formal request is understood to be sufficient.

After a surrender request has been made, an inspection may be required to confirm the state of rehabilitation.

FINANCIAL IMPLICATIONS

None at this time.

License surrender will eliminate the administrative requirements of staff related to maintaining a licensed aggregate site which consists of annual inspections, production reports and compliance assessment reports.

SUMMARY

Based on information detailed herein, Pit No. 4489 was depleted of material in 2003 and completed progressive rehabilitation efforts from 2013 through 2019. As such, there is no longer a requirement to maintain the pit license and staff recommend that the license be surrendered.

STRATEGIC PLAN

Not applicable to this report.

OTHERS CONSULTED

Jed Kelly, Director of Public Works – Town of St. Marys

Ministry of Natural Resources and Forestry

Report Approval Details

Document Title:	PW 31-2024 Aggregate Resource License Surrender for Pit No. 4489.docx
Attachments:	- Attachment No. 1 Pits and Quarries Online.pdf - Letter_Aggregate License Surrender_4489_06.04.24
Final Approval Date:	Jun 3, 2024

This report and all of its attachments were approved and signed as outlined below:

Jed Kelly

Brent Kittmer

Search Criteria

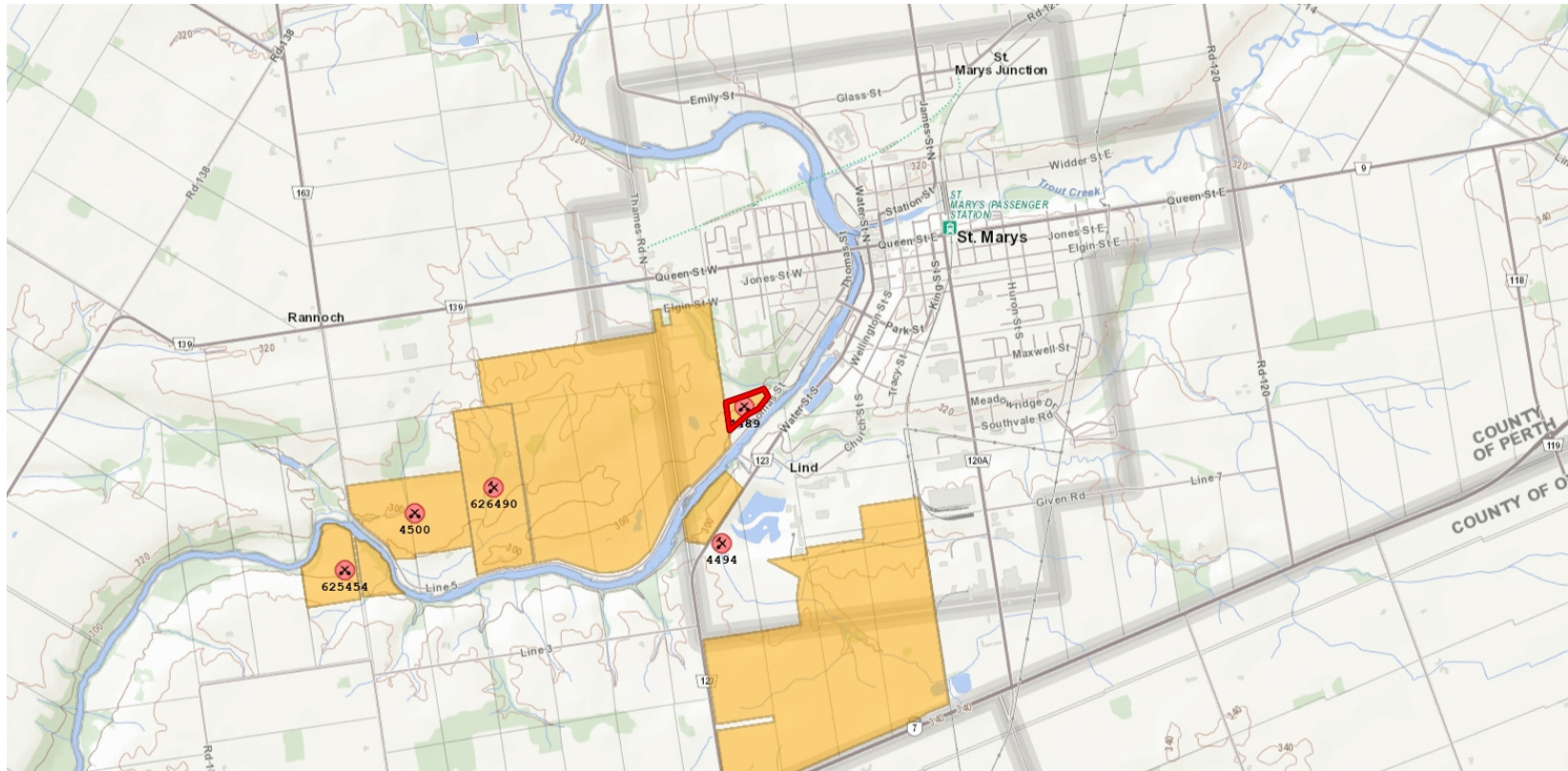
Geographic Location: **Map Center 81.15384° W, 43.24907° N**

Approval Type: **Class A Licence or Class B Licence or Aggregate Permit or Wayside Permit or MTO Permit**

Current Status: **Active**

Operation Type: **All**

Search Results: **1**



Site ID	Client Name	Approval Type	Operation Type
4489	THE CORPORATION OF THE TOWN OF ST. MARYS	CLASS B LICENCE <= 20000 TONNES	Pit
	Location Name	Max. Annual Tonnage	Licensed Area (ha)
		20000	3.94



VIA E-MAIL

June 11, 2024

Ministry of Natural Resources and Forestry
1 Stone Road West
Guelph, ON N1G 4Y2

Attention: ARAapprovals@ontario.ca

**SUBJECT: LICENSE SURRENDER – PIT NO. 4489
ST. MARYS, ONTARIO, CANADA**

This letter is to provide formal notice that the Town of St. Marys (the “Town”) is surrendering the aggregate resource license for Pit No. 4489 (the “Site”) in St. Marys, Ontario. Staff for the Town is of the opinion that the Site has been rehabilitated in accordance with the rehabilitation requirements of the Site plan.

On June 11, 2024 by resolution, Council for the Town delegated signing authority for this formal notice to the Mayor and the Clerk. The resolution as passed was as follows:

THAT report PW 31-2024, Aggregate Resource License Surrender for Pit No. 4489 be received for information; and

THAT Council authorize the Mayor and the Clerk to sign the necessary request for surrender for gravel pit No. 4489 on behalf of the Town of St. Marys.

Should there be any questions or concerns related to the above request, please contact:

Dave Blake, C.E.T.
Environmental Services Manager
Town of St. Marys
T: 519-284-2340 ext. 209
E: dblake@town.stmarys.on.ca

Sincerely,

Al Strathdee
Mayor

Jenna McCartney
Clerk



FORMAL REPORT

To: Mayor Strathdee and Members of Council

Prepared by: Dave Blake, Environmental Services Manager

Date of Meeting: 11 June 2024

Subject: **PW 32-2024 Annual Landfill Report for 2023 Operations**

PURPOSE

This report is provided to update Council regarding the submission of the 2023 Annual Monitoring Report for the St. Marys Landfill Site to the Ministry of Environment, Conservation and Parks (MECP) and to summarize key aspects within the annual monitoring report for Council.

RECOMMENDATION

THAT PW 32-2024 Annual Landfill Report for 2023 Operations report be received for information.

BACKGROUND

The Town is required to submit an annual report to the MECP prior to March 31 of each year for the previous year's site operations. Each year this report is prepared by engineering consultants and submitted to the MECP on the Town's behalf.

The 2023 Report was submitted on March 27, 2024.

REPORT

In 2023, the St. Marys landfill site ("the Site") was operated by the Town of St. Marys and supplied successful waste disposal and diversion needs to residents and businesses within the Town. The following is a summary of information presented within the annual report for activities at the Site in 2023:

- The adjusted landfill volume utilization was estimated to be 11,857 cubic metres for 2023, compared to an estimated annual filling of 7,006 cubic metres in 2022.
 - The accuracy of the 2022 volumetric determination is subject to interpretation based on when the volumetric survey was completed at the Site, and when annual soil stockpile movements occurred.
- The 2023 volumetric fill rate represents a 3,043 cubic metres less than the annual design fill rate of 15,000 cubic metres per year for Phase II/III.
- In 2023, approximately 6,260 tonnes of waste was placed for final disposal at the Site. This equates to an adjusted in-situ density of approximately 659 Kg/cubic metre which represents fair to good waste compaction operations.
 - For context, typical industry standards for density are around 700 Kg/m³. The Town's density was close to the intended standards, which helps prolong landfill life.

- It is estimated (assumed at 20%) that approximately 2,371 cubic metres of daily cover was placed within the active cells in 2023 (included in the above volumetric fill utilizations).
- The landfill's remaining approved site life is estimated to be approximately 1 year as of October 2023. A request for additional interim capacity approval will be required in mid-2024 as per Environmental Compliance Approval requirements.
- A detailed evaluation of potential groundwater impacts noted in prior years at up gradient wells (OW9B-91m OW15-91 and OW21-91) related to suspected leachate indicators continues to conclude that impacts appear to be directly attributable to road salting applications, and not landfill leachate at this time.
- Manhole B (MHB) was added to the sampling program in 2016. The 2018 results suggested a potential for leachate influence. Based on recent monitoring analysis, the water quality appears to be primarily influenced by salt application, as opposed to leachate, with water quality continuing to meet Provincial Water Quality Objectives (PWQOs). Monitoring will continue in 2024 to aid in determining a trend or potential impact. If leachate impact is confirmed, consideration will be given to preventing overflow from MHB from discharging to the surface water drainage system.
- Reasonable Use Criteria (RUC) was not exceeded in down gradient overburden or bedrock wells at the Site.
- No operational issues related to treating leachate were identified by the Wastewater Treatment Plant.
 - Operational challenges were experienced within the leachate collection system in 2023 due to a partial blockage at the former Phase II/III holding tank. Once cleared, due to head pressure, a partial spill occurred on November 20, 2023 and reported to the Ministry of Environment Spills Action Centre.
- Groundwater, surface water and leachate sampling shall continue in 2024 to continue trending for site operations and monitor for potential site impacts.
- No formal complaints related to landfill operations were received in 2023.
- The Town saw significant diversion efforts related to the various programs offered and administered at the landfill, consisting of, but not limited to, recycling, leaf collection, yard waste collection, E-Waste depot, Hazardous and Special Waste, etc.

General Notes:

An Environmental Assessment (the "EA") to determine future solid waste disposal needs for the Town of St. Marys was commenced on February 9, 2015 with final submission occurring in 2023. A Notice of Decision has now been received from the MECP approving the EA. This will enable the Town to proceed with the long-term planning of the Site for continued waste management solutions for an anticipated 40-year planning period. Staff will need to apply to the MECP in July 2024 as a condition of the Site's approval for continued interim capacity to enable the continuation of operations while the long-term expansion plans are developed.

FINANCIAL IMPLICATIONS

None at this time.

SUMMARY

Based on information herein, the St. Marys Landfill Site continued to provide satisfactory waste disposal for the Town of St. Marys.

STRATEGIC PLAN

Not applicable to this report.

OTHERS CONSULTED

Not Applicable

Report Approval Details

Document Title:	PW 32-2024 Annual Landfill Report.docx
Attachments:	
Final Approval Date:	Jun 3, 2024

This report and all of its attachments were approved and signed as outlined below:

Jed Kelly

Brent Kittmer



FORMAL REPORT

To: Mayor Strathdee and Members of Council

Prepared by: Dave Blake, Environmental Services Manager

Date of Meeting: 11 June 2024

Subject: **PW 33-2024 Lighting Material Agreement with Product Care Association of Canada**

PURPOSE

This report presents Council with information regarding an agreement for consideration between the Town of St. Marys (Town) and Product Care Association of Canada (PCA) about lighting material. The Agreement would enable the collection, reporting and reimbursement for lighting material through the Producer Responsible framework as part of the continued provincial migration of various recycling programs.

RECOMMENDATION

THAT PW 33-2024 Lighting Material Agreement with Product Care Association of Canada report be received; and

THAT Council consider By-law 64-2024, being a by-law authorizing the Mayor and the Clerk to sign the associated agreement with the Product Care Association of Canada.

BACKGROUND

The Town of St. Marys collects various lighting and lamps through Hazardous and Special Product (HSP) events. Funding for the collection and recycling of lighting items was historically provided by Stewardship Ontario. However, programs administered by Stewardship Ontario ended as the Province transitioned various programs to a “Producer Pay Model” over the last number of years. Specifically, the program for lighting material is now being managed by Product Care Association of Canada as a Producer Responsible Organization.

REPORT

On June 8, 2021, Ontario Regulation 449/21, Hazardous and Special Products, was filed under the *Resource Recovery and Circular Economy Act, 2016*. This regulation moves the post life management of materials to producers, which includes funding for end of life care of these materials.

PCA began operating as a Producer Responsible Organization in accordance with the above Regulation on October 1, 2021 for hazardous and special products such as paints, coatings, pesticides, solvents and pressurised containers.

The Town has been invited by PCA to participate in its collection and processing network related to lighting materials. This Agreement would be in addition to other existing Agreement(s) with PCA related to HSP materials that help to offset the cost of program delivery within the community.

This Agreement would see lighting material(s) added to the growing material list for HSP events where Producer Responsible Organization funding is returned to the Town for program administration.

The Agreement has a term of December 31, 2025 which will automatically renew for successive renewal terms of twelve (12) months each unless notice is provided by either party.

FINANCIAL IMPLICATIONS

The Agreement will enable the Town to recover fees through Product Care Association of Canada for lighting and lamps collected through the HSP events. The cost recovery is used to assist with costs incurred by the Town associated with collection, transportation and processing of collected materials.

Under the Agreement, Product Care Association of Canada would pay the Town a fee of \$1,200.00 per tonne collected through Town administered HSP events.

SUMMARY

Based on information detailed within this report, staff recommends execution of the Agreement to enable the Town to receive funds related to lighting materials to assist in offsetting collection, transportation and processing costs.

STRATEGIC PLAN

Not applicable to this report.

OTHERS CONSULTED

Jed Kelly, Director of Public Works – Town of St. Marys

Report Approval Details

Document Title:	PW 33-2024 Lighting Agreement with Product Care Association of Canada.docx
Attachments:	- CORPORATION OF THE SEPARATED TOWN OF ST. MARYS - PCA Agreement - Lighting.pdf
Final Approval Date:	Jun 3, 2024

This report and all of its attachments were approved and signed as outlined below:

Jed Kelly

Brent Kittmer

Product Care Association of Canada - Municipality Lighting Materials Services Agreement

THIS AGREEMENT is made as of the __16__ day of _November_, 2023.

BETWEEN:

**PRODUCT CARE ASSOCIATION OF CANADA
("Product Care")**

- and -

**CORPORATION OF THE SEPARATED TOWN OF ST. MARY'S
("The Municipality")**

collectively, the "Parties"

WHEREAS:

- A.** Product Care operates extended producer responsibility programs in Canada on behalf of its industry members, pursuant to applicable regulations.
- B.** Product Care operates Ontario program(s) pursuant to the Electrical and Electronic Equipment ("EEE") O. Reg. 522/20 issued under the Ontario Resource Recovery and Circular Economy Act (RRCEA) for which Product Care is registered as a Producer Responsibility Organization (PRO) with Resource Productivity and Recovery Authority (RPRA).
- C.** Product Care wishes to engage the Municipality to provide and/or arrange for certain collection and post-collection services of Lighting Materials pursuant to EEE O.Reg. 522/20 under RRCEA on behalf and to Product Care.
- D.** The Parties wish to enter into this Agreement.

NOW THEREFORE, in consideration of the mutual promises and other good and valuable consideration, the receipt and sufficiency of which are hereby acknowledged, the Parties agree as follows:

1.0 Definitions and Interpretation

- 1.1. Terms beginning with capital letters and used herein without definition shall have the meanings given to them in either the *Resource Recovery and Circular Economy Act, 2016* (Ontario) or the *Municipal Act, 2001* (Ontario), as the case may be unless otherwise specified.

1.2. In this Agreement:

- (a) **“Agreement”** means this Agreement and includes all appendices, schedules and amendments thereto;
- (b) **“Business Day”** means Monday through Friday, excluding statutory holidays and any other day that the Government of Ontario or, if the Municipality is an upper-tier, single-tier municipality or territorial district, that the Municipality has elected to be closed for business. The Parties acknowledge that the Municipality may operate Collection Activities at its Collection Services outside of a “Business Day” and that this definition of “Business Day” is not intended to constrain the operating hours of the Municipality’s Collection Services;
- (c) **“Claims Submission(s)”** means submission to Product Care of data required to validate a claim for payment;
- (d) **“Collection Event(s)”** means a service operated by the Municipality or on behalf of the Municipality by a Service Provider for the collection of Program Materials in accordance with the requirements for collection events of the EEE Regulation, as listed in Appendix A to this Agreement, subject to change pursuant to the provisions of this Agreement;
- (e) **“Collection Event(s) Return to Collection Site”** means a Collection Event from which the collected Program Material is transported by the Municipality to a Collection Site and included with the Program Material otherwise collected at that Collection Site for the purposes of this Agreement;
- (f) **“Collection Services”** means any or all Collection Event(s), Collection Site(s), Collection Event(s) Return to Collection Site, and Toxic Taxi(s) as the case may be;
- (g) **“Collection Activities”** means all the activities agreed upon under this Agreement, including those conducted at Collection Events, Collection Sites, Collection Event Return to Collection Site and Toxic Taxi operated by the Municipality or on behalf of the Municipality by a Service Provider, for the purpose of receiving, classifying, packing, storing and transferring Program Materials onto transportation vehicles, including the manifesting of Program Material, as applicable, prior to transportation away from the Collection Event or Collection Site;
- (h) **“Collection Site(s)”** means the Municipality’s locations and facilities participating under this Agreement in the collection of Program Materials, in accordance with the requirements for collection sites of the EEE Regulation, listed in Appendix A to this Agreement, subject to change pursuant to the provisions of this Agreement;
- (i) **“Collection Service Guidelines and Standards”** means the compendium of information provided in Schedule “B” and available at [Product Care Ontario Program Operational Standards – Product Care Recycling](#) which describes minimum procedures for the safe handling of Program Materials, including collection site requirements and procedures developed to assist the Municipality in managing the collection and storage of Program Materials in a way that will minimize the risk of personal injury and harm to the environment and which may be updated by Product Care from time to time pursuant to section 7.0 of this Agreement, as applicable;
- (j) **“EEE Regulation”** means the Ontario Electrical and Electronic Equipment Regulation O. Reg.

522/20 made under the Resource Recovery and Circular Economy Act, 2016;

- (k) **“Effective Date”** means January 1, 2023 for the Lighting Program.
- (l) **“Generator”** means the final user who generates the Program Material waste;
- (m) **“Hauler”** means a Service Provider registered with RPRA and approved by Product Care for the transportation of Program Material;
- (n) **“Lighting”** has the meaning as set out in the EEE Regulation;
- (o) **“Lighting Material”** means end-of-life Lighting as set out in Schedule “A”, for the purpose of this Agreement;
- (p) **“Lighting Program”** means all activities that Product Care conducts as a PRO under the EEE Regulation including the collection and management system for Lighting Materials established by Product Care;
- (q) **“Manifesting”** means those activities associated with preparing a manifest for Post-Collection Services in accordance with Regulation 347: General – Waste Management, made under the *Environmental Protection Act* (Ontario);
- (r) **“Minister”** means the Minister of the Environment Conservation and Parks for the Province of Ontario;
- (s) **“Non-Program Materials”** means any material other than Program Materials.
- (t) **“Post-Collection Services”** means the transportation from Collection Events and Collection Sites, consolidation, sorting, weighing, processing, recycling, and safe disposal of Program Material and other post-collection waste management activities;
- (u) **“Processor”** means a Service Provider registered with RPRA and approved by Product Care for the processing of Program Material in accordance with the requirements of the EEE Regulation;
- (v) **“Product Care Portal”** means Product Care’s online system for uploading Claims Submissions.
- (w) **“Producer Responsibility Organization” or “PRO”** has the meaning as set out in the EEE Regulation;
- (x) **“Program Material”** means Lighting Material;
- (y) **“Program Services”** means Collection Activities and/or Post-Collection Services for Program Material;
- (z) **“Service Provider”** means in the case of Product Care the Municipality, and/or a commercial party that provides Program Services on behalf of the Municipality to Product Care or, in the case of the Municipality that is receiving Program Services, means the commercial party providing Program Services to the Municipality.
- (aa) **“Supporting Documentation”** means invoices, bills of lading, manifests, or other such applicable documents as may reasonably be required by Product Care for the validation of Claims Submissions; and
- (bb) **“Toxic Taxi(s)”** means a direct pickup for Program Material provided by the Municipality to households or businesses which is returned by the Municipality to a Collection Site.

2.0 Collection Services

- 2.1. All of the Collection Event(s), Collection Site(s), Collection Event(s) Return to Collection Site, Toxic Taxi(s) listed in Appendix A are authorized by Product Care for the collection of Program Materials by the Municipality as set out in Appendix A. Other than representing that it is a Product Care authorized Collection Services during the Term, the Municipality shall not state, claim or represent that any Collection Services are owned or in any way related to Product Care;
- 2.2. In recognition of the consideration provided under the Agreement by Product Care to the Municipality, the Municipality hereby agrees to contract exclusively with Product Care (and not any other party) for the collection of Program Materials during the Term of this Agreement at the Collection Services.
- 2.3. Municipality will give written notice, via email, to Product Care within two (2) business days prior to unilaterally amending any of the Collection Services information outlined in Appendix A or information provided to Product Care pursuant to section 2.4 of this Agreement. Such amendments will be incorporated into this Agreement as an amendment.
- 2.4. Municipality will submit in writing, via email, Collection Events and Collection Events Return to Collection Site details (e.g. specific location, date, time etc.) to Product Care for approval by April 30 of the calendar year in which the Collection Events and Collection Events Return to Collection Site will be held utilizing the form provided by Product Care. Once approved by Product Care, which Product Care's approval will not be unreasonably withheld, the updated information on Collection Events and Collection Events Return to Collection Site will be deemed to be incorporated into this Agreement as an amendment.
- 2.5. Either Party must give at least 90 days' notice to the other Party to remove a Program Material collected at any of the Collection Services or to remove any of the Collection Services from Appendix A. The addition of a Program Material to be collected at any Collection Services or the addition of any Collection Services to Appendix A requires written approval by both Parties.
- 2.6. Product Care will provide to RPRA, in accordance with obligations under RRCEA Regulations, the information contained in Appendix A, the information provided to Product Care pursuant to section 2.4 or any additional information required by RPRA for the purposes of compliance with regulatory requirements.

3.0 Program Services

- 3.1. Program Services:
 - (a) The Municipality is responsible for providing Collection Activities to Product Care for Program Materials received at Collection Services,
 - (b) Subject to the provisions of section 3.2 of this Agreement,
 - (i) The Municipality shall utilize a Service Provider which has been authorized by Product Care for Post-Collection Services of Program Materials received at Collection Services.
 - (ii) The Municipality shall ensure that any Service Provider the Municipality has contracted with to provide Post-Collection Services is registered with RPRA for the Program Material.
 - (iii) The Municipality shall ensure that (iii) Program Material received at Collection Services is transported to a Processor.

- 3.2. Product Care reserves the right, with ninety (90) days notice to Municipality, to provide Post-Collection Services for Program Material received at the Collection Services specified in the notice, by a Service Provider selected by, contracted with, and paid by Product Care.
- 3.3. The Municipality may accept Non-Program Materials at Collection Services; however, the Municipality acknowledges and agrees that Non-Program Materials collected or accepted by the Municipality are the sole and exclusive responsibility of the Municipality.

4.0 Price and Payment

- 4.1. The fees payable by Product Care to the Municipality as of the Effective Date pursuant to this Agreement are set forth in the Schedule A to this Agreement.
- 4.2. The Municipality agrees to accept payment by electronic funds transfer and will provide its bank account information to Product Care for this purpose. Payments shall be made in accordance with the terms set forth in the Schedule A to this Agreement.
- 4.3. The Municipality will provide any Supporting Documentation reasonably requested by Product Care to verify the accuracy of the Claims Submissions.
- 4.4. The Municipality will not charge Generators for Program Materials they deposit at, and the Municipality receives at, Collection Services.
- 4.5. The Municipality must submit Claims Submissions to Product Care via the Product Care Portal within ninety (90) days of the date Program Material was transported from the Collection Services.
- 4.6. Product Care will validate Claims Submissions with the Supporting Documentation received from Municipality within thirty (30) days of receipt and Product Care will pay the Municipality pursuant to this Agreement within thirty (30) days of the date on which Product Care determines the Claim Submission to be correct and accurate. In the event that Product Care finds any errors or omissions in the Claims Submissions, Product Care will inform the Municipality and the Municipality will have the ability to correct and/or clarify its Claims Submissions prior to Product Care issuing a payment.

5.0 Term

- 5.1. The term of the Agreement commences on the Effective Date and, unless otherwise extended or terminated earlier in accordance with the provisions of this Agreement, shall end on December 31, 2025 (the "Initial Term").
- 5.2. At the expiry of the Initial Term, this Agreement will automatically renew for successive renewal terms (each a "Renewal Term") of twelve (12) months each unless written notice of termination is provided by either Party to the other Party at least ninety (90) days prior to the expiry of the Initial Term or the then current Renewal Term, as applicable. The Initial Term and if applicable, any Renewal Terms, are referred to as the "Term" of this Agreement.

6.0 Title to Program Materials

- 6.1. To the extent permitted by applicable laws, the Party with physical possession of the Program Materials shall have and retain title to the Program Materials for the duration for which they are in the physical possession of the Program Materials until such time as they are transferred to the physical possession of the other Party or a Service Provider. Any contract a Party may enter into with a Service Provider who is not a party to this Agreement shall include a requirement with

respect to the acknowledgement by the Service Provider that the Service Provider shall have title to any Program Materials while in the physical possession of that Service Provider. Notwithstanding who has the title of the Program Materials and to the extent it is within the reasonable control of the Municipality, the Municipality transfers the exclusive right to Product Care to claim the Collection Services for the Program Material and/or the weight of recovered resources of the Program Materials collected at Collection Services, insofar as the right to claim the Collection Services and/or the weight of recovered resources are required to fulfill Product Care's PRO responsibilities under the EEE Regulation for the Program Materials.

7.0 Product Care Policies, Standards and Guidelines

- 7.1. The Collection Service Guidelines and Standards in effect at the time of entering into this Agreement are included in Schedule "B".
- 7.2. The Municipality will use best efforts to comply with and will require that any of its Service Providers supplying Program Services use best efforts to comply with, the provisions of all such policies, standards and guidelines as they pertain to the provision of the Program Services.
- 7.3. Product Care may develop or propose amendments to, from time to time, policies, standards and guidelines relative to the provision of Program Services. Product Care will endeavour to provide sufficient time to comment on the proposed amendments for clarifying potential impacts to the Municipality.
- 7.4. Product Care will communicate any new or amended policies, standards and guidelines to the Municipality via the email in section 13 and will post copies of such new or amended policies, standards and guidelines on Product Care's website as they are developed.
- 7.5. The Municipality may provide written notice within thirty (30) days of receiving such communication that it does not wish to comply with a new or amended policy, standard or guideline, and in the event that the Municipality provides such written notice either Party may exercise the termination provisions of 22.4(a).

8.0 Promotion and Education

- 8.1. Product Care shall be responsible for promotion and education activities for the Lighting Program at its sole discretion and at its own expense.
- 8.2. Product Care shall not make use of its association with the Municipality or use the Municipality's name, including the use of the Municipality's logo or other identifiable insignia, for advertising, promotional, or technical purposes or otherwise except with the prior written consent of the Municipality or as provided in this Agreement.
- 8.3. Product Care may post Collection Services information and a link to the Municipality's website on the Product Care's website.
- 8.4. The Municipality may post the Collection Services, the Product Care Recycling logo and a link to <http://www.productcare.org/> and other necessary information on its waste management/recycling webpage at no cost to Product Care.
- 8.5. The Municipality will not charge Product Care for any promotion or education activities unless Product Care has agreed to such charges in advance in writing.
- 8.6. The Municipality or its Service Providers must submit to Product Care draft copies of all publications using Product Care's name, trademarks and logos for advance approval in writing,

which Product Care may withhold for any reason.

- 8.7. The Municipality, its employees and Service Providers will not engage in any activity that may cause or perceive to cause harm to Product Care or any brand owned by Product Care, such as Product Care Recycling.

9.0 Indemnity and Insurance

- 9.1. The Municipality shall indemnify, defend and save harmless Product Care, and its employees, directors, governors, officers, agents, subcontractors and affiliates (collectively, the “Product Care Indemnitees”) from and against any and all liabilities, damages, losses, liens, charges, claims, demands, payments, suits, causes of action, proceedings, actions, recoveries and judgments, including without limitation all expenses and reasonable legal fees incurred in connection therewith as well as all costs incurred by the Municipality and/or any third parties in carrying out remediation activities (collectively “Claims”), which arise out of, result from or relate to:
 - (a) the Municipality’s ownership and/or operation of the Collection Services;
 - (b) any action or omission of the Municipality, its users, invitees, employees, subcontractors or agents, in connection with the Municipality’s ownership and/or operation of the Collection Services, and handling of Program Material and Non-Program Materials; or
 - (c) any breach by the Municipality of the terms, conditions, requirements, representations and warranties of this Agreement.
- 9.2. The Municipality hereby releases the Product Care Indemnitees from and against any and all Claims which the Municipality may at any time have against the Product Care Indemnitees in respect of this Agreement and the rights granted hereunder, except to the extent the same has resulted from the negligence or wilful misconduct of the Product Care Indemnitees.
- 9.3. Product Care shall indemnify, defend and save harmless the Municipality, its council members, directors, officers, contractors, employees and agents (collectively, the “Municipality Indemnitees”) from and against any and all liabilities, damages, losses, liens, charges, claims, demands, payments, suits, causes of action, proceedings, actions, recoveries and judgments, including without limitation all expenses and reasonable legal fees incurred in connection therewith as well as all costs incurred by the Municipality and/or any third parties in carrying out remediation activities (collectively “Claims”), which arise out of, result from or relate to:
 - (a) any action or omission of the Product Care, its users, invitees, employees, subcontractors or agents, in connection with the Municipality’s ownership and/or operation of the Collection Services, and handling of Program Material and Non-Program Materials; or
 - (b) any breach by Product Care of the terms, conditions, requirements, representations and warranties of this Agreement.
- 9.4. Product Care hereby releases the Municipality Indemnitees from and against any and all Claims which Product Care may at any time have against the Municipality Indemnitees in respect of this Agreement and the rights granted hereunder, except to the extent the same has resulted from the negligence or wilful misconduct of the Municipality Indemnitees.
- 9.5. The Parties hereby agree and acknowledge that Product Care has no responsibility whatsoever towards the Municipality for remediation of contaminants at the Collection Services or with

respect to any migrating contaminants from the Collection Services, or to the Collection Services, be it before the Term, during the Term or after this Agreement terminates or expires.

- 9.6. Unless the Municipality self-insures, the Municipality will, during the term of the Agreement, maintain at its expense and/or require any Service Provider engaged by the Municipality to provide services on behalf of the Municipality pursuant to this Agreement to maintain at either the Municipality's or Service Provider's expense adequate insurance for its obligations under this Agreement, including the insurance coverage set out below:
- (a) comprehensive general liability coverage of a minimum of \$5,000,000 per occurrence, \$5,000,000 general liability; and
 - (b) any other normal insurances sufficient to carry out its obligations under this Agreement, (collectively, the "Insurance").
- 9.7. The Municipality shall include Product Care as an additional insured in the Insurance, unless otherwise confirmed by Product Care in writing.
- 9.8. If Product Care is added as an additional insured, the Municipality shall supply Product Care with a certificate of insurance evidencing Product Care as additional insured on an annual basis.
- 9.9. If the Municipality wholly self-insures, the Municipality will deliver a letter stating such self-insurance to Product Care upon the execution date of this Agreement, and annually upon each automatic renewal of this Agreement.
- 9.10. Product Care shall:
- (a) include the Municipality as an additional insured on policies of insurance maintained by Product Care for environmental impairment liability and comprehensive general liability, but only in respect to liability arising from the negligence of Product Care at the Collection Services and subject to the obligations of the Municipality set out in Section 9.0; and
 - (b) require the insurers to give to the Municipality not less than 60 days' prior written notice of any cancellation or other termination thereof, or any change which restricts or reduces the coverage provided to the Municipality thereby.
- 9.11. The Municipality shall be responsible for and shall maintain in good standing coverage as required under the Occupational Health and Safety Act and associated regulations.

10.0 Covenants of Product Care

- 10.1. Product Care covenants, represents and warrants to Municipality that:
- (a) Product Care is a non-profit corporation validly existing under the laws of Canada;
 - (b) Product Care has the corporate power, capacity and authority to enter into and complete this Agreement;
 - (c) in performing any Program Services under this Agreement, Product Care shall comply, and ensure that all Service Providers contracted by Product Care comply, at all times, with all applicable local, provincial and federal laws, regulations, statutes, bylaws, authorizations, rules, policies, protocols, standards, codes of practice and other governmental authority requirements.
 - (d) Product Care shall obtain at its own expense, any permits and licences which may be required for the performance of its obligations hereunder; and
 - (e) the execution and delivery of this Agreement has been validly authorized by all necessary corporate action by Product Care.

11.0 Covenants of Municipality

11.1. The Municipality covenants, represents and warrants to Product Care that:

- (a) the Municipality is an incorporated and/or an otherwise validly constituted entity in good standing and qualified to carry on business in the province where the Collection Services are located, and has the corporate or other power, capacity and authority to carry on its business and to enter into and complete this Agreement;
- (b) the licenses, permits, and any other authorizations required of Municipality or any of the Collection Services are, and shall be, in good standing during the term of this Agreement, including any that are specified in the Schedules;
- (c) the Municipality shall comply at all times, with all local, provincial and federal laws, regulations, statutes, bylaws, authorizations, rules, policies, protocols, standards, codes of practice and other governmental authority requirements applicable to the Collection Services, the operations of the Collection Services and the Municipality's activities, as amended from time to time in performing the Program Services under this Agreement, including Certificates of Approval and/or Environmental Compliance Approvals, the requirements for Collection Services to qualify under the EEE Regulation, the processing and disposal requirements of the collected Program Materials under the EEE Regulation, and the Collection Services Guideline and Standards (collectively the "Legal Requirements"). The Municipality shall ensure that all Service Providers contracted by the Municipality to provide any Program Services comply with the Legal Requirements as required ;
- (d) there are no legal actions, proceedings, investigations, prosecutions, or claims in respect of the Municipality that relate to the presence of Contaminants at or released from the Collection Services or any other environmental matters relating to the Collection Services;
- (e) Collection Services personnel are qualified and trained to perform the obligations under and in accordance with this Agreement;
- (f) Collection Services equipment is in good, working order;
- (g) the Collection Services is/are free of any pollutants, contaminants, deleterious substances, toxic substances or hazardous waste (collectively "Contaminants"), except in amounts that are permissible under the Legal Requirements, subject to any exceptions set forth in the Schedules to this Agreement;
- (h) there are no Contaminants being released onto the Collection Services from adjacent properties or from the Collection Services to adjacent properties, subject to any exceptions set forth in the Schedules to this Agreement;

12.0 Assignment

12.1. The Municipality shall provide Product Care with at least ninety (90) days' notice if any of its rights or obligations under this Agreement are subcontracted or assigned to any other party.

13.0 Notices

Any notice, request, demand or other instrument or communication by either Product Care or the Municipality pursuant to this agreement, will be in writing and sufficiently given if delivered personally, by e-mail, or if sent by registered mail to the following respective addresses hereinafter set out, namely:

Notices to Product Care will be delivered to:

President
Product Care Association of Canada
420-2238 Yukon Street,
Vancouver, BC, V5Y 3P2
Email: contact@productcare.org

Notices to the Municipality will be delivered to:

Environmental Services Manager
CORPORATION OF THE SEPARATED TOWN OF ST. MARY'S
408 James St. South, St. Marys, ON, Canada, N4X 1B6,
dblake@town.stmarys.on.ca

Any such notice if delivered personally or by e-mail means will be conclusively deemed to have been given on the day of personal delivery or the transmission of e-mail (and if after 5 p.m. E.T. the following Business Day), or if mailed as aforesaid, will be conclusively deemed to have been received on the fifth (5th) business day following the day on which such notice is mailed as aforesaid (except during a postal strike in which case such notice shall be delivered via courier). Either Party may, at any time, give written notice to the other of any change of address (postal and/or email) of the Party giving such notice and from and after the giving of such notice the address therein specified shall (in the absence of knowledge to the contrary) be deemed to be the address of such Party for the giving of notices thereafter.

14.0 No Partnership or Joint Venture

14.1. This Agreement does not create and will not in any circumstances create or be deemed to create a partnership or joint venture between the Parties. For all purposes Municipality is an independent contractor.

15.0 Severability

15.1. If any provision of this Agreement is determined by a court of competent jurisdiction to be invalid, illegal or unenforceable in any respect, such determination will not impair or affect the validity, legality or enforceability of the remaining provisions hereof, and each provision is hereby declared to be separate, severable and distinct. To the extent that any such provision is found to be invalid, illegal or unenforceable, the Parties will act in good faith to substitute for such provision, to the extent possible, a new provision with content and purpose as close as possible to the provision so determined to be invalid, illegal or unenforceable.

16.0 Amendment and Waivers

16.1. No amendment or waiver of any provision of this Agreement will be binding on any party unless consented to in writing by such party. No waiver of any provision of this Agreement will constitute a waiver of any other provision, and no waiver will constitute a continuing waiver unless otherwise provided.

17.0 Further Acts

17.1. Each party will execute all such documents and do all such other acts and things as may be

necessary or desirable from time to time in order effectively to carry out the provisions of this Agreement and will not to take any action, or omit to take any action, that would constitute a breach of this Agreement.

18.0 No Third Party Beneficiaries

18.1. No person or entity which is not a party hereto will have any rights or obligations pursuant to this Agreement or be permitted to place any reliance on anything in this Agreement or on the continuation of this Agreement.

19.0 Counterparts and Facsimile

19.1. This Agreement may be executed in counterparts, and may be transmitted by facsimile or secure electronic document (PDF) each of which will constitute an original and all of which taken together will constitute one and the same instrument.

20.0 Force Majeure

20.1. In the event that either party hereto is delayed or hindered in the performance of any act required herein by reason of Acts of God, riots, insurrection, pandemics, strikes, war or other reasons of a like nature not the fault of such party (an "Event of Force Majeure"), then the performance of such act will be excused for the period of the delay and the period for performance of any such act will be extended for a period equivalent to the period of such delay. The party whose performance of this Agreement is or may reasonably be expected to be affected by an Event of Force Majeure will promptly notify the other party of the existence of such circumstances and will use its best efforts to resume and complete performance. Whenever a party is reasonably certain that such an Event of Force Majeure is likely to occur, it will notify and consult with the other party as soon as practicable. All time periods for the performance of obligations hereunder will be extended by a period corresponding to the time period of any delay caused by the occurrence of an Event of Force Majeure.

21.0 Dispute Resolution

21.1. The parties to this Agreement agree to the following steps to address any issues arising in regard to the interpretation or application of the Agreement:

- (a) discussion between manager of Product Care and the Municipality;
- (b) If necessary, escalation of discussion to Product Care senior staff; and
- (c) If necessary, undertaking legal proceedings including the option of mediation or binding arbitration with the consent of the parties.

22.0 Termination

22.1. If, in the reasonable opinion of either party, there has been a breach of this Agreement by the other party (the "defaulting party"), the Municipality or Product Care (the "party giving notice") may give the defaulting party written notice to remedy the breach or default within sixty (60) days, failing which the Agreement may be terminated. In the event that the remedy of such breach reasonably requires more than sixty (60) days, the defaulting party will so advise the party giving notice forthwith and provide a revised timetable for remedying the breach. The party giving notice will notify the defaulting party in writing as to whether the revised timeline is acceptable and, if it is, the revised timeline to remedy such breach will apply.

- 22.2. Subject to section 23, on the date of termination neither party shall have any obligations, financial or otherwise, hereunder save and except for matters and payment obligations arising prior to the date of termination.
- 22.3. Either Party may terminate this Agreement for any reason whatsoever save and except for matters arising from sections 22.1 & 22.4, without cause, cost or penalty, save and except for matters arising prior to termination, upon providing the other Party with ninety (90) days prior written notice of its intention to terminate this Agreement.
- 22.4. Either Party may terminate this agreement immediately upon written notice to the other Party, except as expressly stated, if:
- (a) the Municipality provides written notice that it will not comply with any new or amended policies, standards and guidelines developed by Product Care as per section 7.5; or
 - (b) a receiver or trustee is appointed for any part of the assets of Product Care.

23.0 Survival

- 23.1. Sections 9.1, 9.2, 9.3, 9.4, 9.5, 22.2 and 28 of this Agreement will survive termination or expiry and continue in full force and effect.

24.0 Entire Agreement

- 24.1. This Agreement constitutes the entire agreement between the parties with respect to all of the matters herein and supersedes and replaces all previous agreements, whether oral or written, concerning the same or similar subject matter.

25.0 Headings for Convenience Only

- 25.1. The division of this Agreement into articles and sections is for convenience of reference only and will not affect the interpretation or construction of this Agreement.

26.0 Governing Law

- 26.1. This Agreement will be governed by and construed in accordance with the laws of the Province of Ontario and the federal laws of Canada applicable therein and each of the parties hereto agrees irrevocably to conform to the non-exclusive jurisdiction of the Courts of such Province.

27.0 Legislation References

- 27.1. Any reference in this Agreement to any law, by-law, rule, regulation, order or act of any government, governmental body or other regulatory body will be construed as a reference thereto as amended or re-enacted from time to time or as a reference to any successor thereto.

28.0 Confidentiality

- 28.1. Subject to any legal requirements, including those included in the *Municipal Act, 2001* and the *Municipal Freedom of Information and Protection of Privacy Act* ("MFIPPA"), the Municipality will at all times treat Schedule "A" and the financial terms contained therein as private and confidential information.

To the extent permitted under MFIPPA, the Municipality will inform Product Care of any request made of Municipality under MFIPPA for any records related to this Agreement that may reveal

a trade secret or scientific, technical, commercial, financial or labour relations information supplied in confidence by Product Care to Municipality so that Product Care will have an opportunity to make representations to Municipality with respect to the proposed disclosure.

29.0 Rights and Remedies

- 29.1. The rights, remedies and privileges in this Agreement given to the Parties:
- (a) are cumulative and any one or more may be exercised;
 - (b) are without prejudice to and are in addition to and apply notwithstanding any other provisions in this Agreement; and
 - (c) are not dependent or conditional upon, or in any way lessened, restricted or affected by any other provisions of this Agreement.

30.0 Independent Legal Advice

- 30.1. Each Party acknowledges that it has read and understands the terms and conditions of this Agreement and acknowledges and agrees that it has had the opportunity to seek, and was not prevented or discouraged by any other Party from seeking, any independent legal advice which it considered necessary before the execution and delivery of this Agreement and that, if it did not avail itself of that opportunity before signing this Agreement, it did so voluntarily without any undue pressure, and agrees that its failure to obtain independent legal advice will not be used by it as a defence to the enforcement of its obligations under this Agreement.

31.0 Enurement

- 31.1. This Agreement shall bind and benefit each of the Parties, including their respective successors and permitted assigns.

32.0 Appendices and Schedules

- 32.1. Appendix "A" and Schedules "A" and "B" are attached hereto and incorporated in and form part of this Agreement.

33.0 Time

- 33.1. Time is of the essence to this Agreement.

34.0 Language

34.1. The parties have agreed to draft this Agreement in English. Les parties ont consenti à rédiger ce contrat en langue anglaise.

IN WITNESS WHEREOF the parties hereto have executed this Agreement as of the date first set out above.

PRODUCT CARE ASSOCIATION OF CANADA

by: _____

Brian Bastien, President

CORPORATION OF THE SEPARATED TOWN OF ST. MARY'S

by: _____

Name: _____

Title: _____

Appendix A Collection Services

The following tables provide information for the Collection Services according to the type of Collection Service:

Table 1: Collection Sites

Collection Site Name	Collection Site address including postal code	Community (Local Municipality or Territorial District according to RPRA's list)	Operating hours	Site Contact Name	Tel	Email	Lighting Material
N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A

Table 2: Collection Events and/or Collection Events Return to Collection Site*

Collection Event or Collection Event Return to Collection Site	# of Collection Events	Community (Local Municipality or Territorial District according to RPRA's list)	Lighting Material
Collection Events	3	St. Marys	X

* Municipality shall submit event details to Product Care in accordance with section 2.4 of this Agreement.

Table 3: Toxic Taxi

Community (Local Municipality or Territorial District according to RPRA's list)	Lighting Material
N/A	N/A

Initials	Date

SCHEDULE "A"

Province	Ontario
Stewardship Program Name	Lighting

1. Lighting Material(s) Information (s. 1.2(o) of Agreement)

1.1. This Agreement applies to the following Lighting Material included therein, as further described below:

Lighting	Light bulbs, tubes or lamps including but not limited to incandescent, fluorescent, halogen, light emitting diode (LED) and high intensity discharge (HID) lamps
----------	--

Additional details of Program and Non-Program Materials are provided in the Collection Service Guidelines and Standards.

2. Price and Payment (s. 4.1 and s. 4.2 of Agreement)

2.1. Pursuant to section 4.1 of the Agreement, the fees payable to the Municipality by Product Care, during the Term of this Agreement, are as set out below, for Collection Activities and Post-collection Services provided in accordance with the Agreement and Collection Service Guidelines Standards.

2.1.1. Product Care will pay the Municipality an amount per unit for the Collection Activities for Lighting Material received at Collection Sites, including the Lighting Material collected by Toxic Taxi or Collection Event Return to Collection Site, as set out in Table 1. The actual unit count of the Lighting Material as determined by the Processor will be used.

Collection Activities Provided for:	Per Unit	Payment
LED, Halogen, and Incandescent	Unit	\$0.03
CFL	Unit	\$0.05
Fluorescent tubes <= 2ft	Unit	\$0.06
Fluorescent tubes > 2ft <= 4ft	Unit	\$0.12
Fluorescent tubes > 4ft	Unit	\$0.24
HID and Other	Unit	\$0.10

Initials	Date

2.1.2. Product Care will pay the Municipality an amount per tonne for the Collection Activities and Post-Collection Services for Collection Events for Lighting Material as set out in Table 2. The actual weight of the Lighting Material as determined by the Service Provider providing the Post-Collection Services will be used.

Table 2: Rates for Collection Events listed in Appendix A for Lighting Material		
Collection Activities and Post-collection Services Provided for:	Per Unit	Payment
Lighting	Tonne	\$1200

2.1.3. Product Care will pay the Municipality an amount per tonne for the Collection Activities and transportation for Collection Event Return to Collection Site as set out in Table 3 in addition to the amounts payable pursuant to s. 2.1.1 of this Schedule and set out in Table 1. The actual weight of the Lighting Material as determined by the Service Provider providing the Post-Collection Services will be used.

Table 3: Rate for Collection Events Return to Collection Site listed in Appendix A collecting Lighting Material		
Collection Activities and transportation Provided for:	Per Unit	Payment
Lighting	Tonne	N/A

2.1.4. No additional fees are payable for the Lighting Materials delivered to a Collection Site by Toxic Taxi except for the fees set forth in s.2.1.1 of this Schedule.

2.2. Pursuant to section 4.2 of the Agreement

2.2.1. payments as set forth in s. 2.1.1 of this Schedule will be paid within thirty (30) days after the approval, by Product Care, of the Claim Submission in the Product Care Portal submitted by the Processor for Post-Collection Services of the Lighting Material transported from the Collection Site.

2.2.2. in order to receive payments as set forth in s. 2.1.2 and s. 2.1.3 of this Schedule, the Municipality must upload a Claims Submission via the Product Care Portal including the Supporting Documentation. Payment will be paid within thirty (30) days after the approval, by Product Care, of the Claim Submission submitted by the Municipality in the Product Care Portal.

Initials	Date

SCHEDULE “B” – Collection Services Guidelines and Standards

Product Care Ontario Lighting Collection Services Guidelines and Standards

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Guideline Overview

Disclaimer

This Guideline is intended to provide practical guidance and best management practices for collection site operators regarding staff handling and storing of program products collected under the Product Care Ontario Lighting Program. This Guideline should be used by collection site operators to instruct staff in using required practices of the program.

The practices described in this Guideline are not intended to replace any standards, acts or regulations required under Local, Provincial or Federal law; nor is the guideline intended to relieve the collection site operator or staff of requirements under the law.

Product Care accepts no responsibility and assumes no liability resulting from the incorrect use of information contained in this guideline or from the use of this information in any circumstances other than those described.

This Guideline is intended for use by collection sites participating in the Product Care Ontario Lighting Program. The Guideline provides information and instruction for the collection of end-of-life **whole lamps** originating from residential, institutional, commercial, and industrial sectors in Ontario.

This Guideline allows the site to inform and train their employees regarding best practices for safe collecting, handling and storing lamps. It contains instructions for:

- Setting up a collection site
- Receiving, sorting, packaging, and shipping lamps
- Health & Safety related to the management of lamps
- Record-keeping

For additional information, please contact:



Product Care Recycling
180 Attwell Dr., Suite 380, Toronto, ON M9W 6A9
Tel: +1 (877) 592-2972 ext. 370 (toll-free)
Email: ontario@productcare.org

Ontario Lighting Program Overview

Beginning January 1, 2023, under Ontario Regulation 522/20: Electrical and Electronic Equipment (EEE Regulation), there are new requirements for producers who supply obligated lighting products into Ontario, to collect and recycle lighting products at their end-of-life. Product Care is a registered Producer Responsibility Organization (PRO) in Ontario setting up a comprehensive lighting recycling Program to help producers comply with their obligations under the EEE Regulation. The Ontario Lighting Program establishes a province-wide collection system for all types of lighting obligated under the EEE Regulation including: fluorescent tubes, CFLs, LEDs, HIDs, UV, halogens and incandescent bulbs or tubes.

How the Program Works

Ontario residents or businesses can bring their end-of-life light bulbs or tubes to a collection site or collection event, for recycling. Under the Lighting Program, **no compensation can be provided and no fees can be charged to residents or businesses who deposit/drop off their end-of-life lighting products** at a collection site.

The collected lighting from the collection sites or collection events will be transported via a Product Care approved transporter to a Product Care approved recycler, for recycling.

Safety

Fluorescent light bulbs/tubes and high intensity discharge bulbs (HID), such as high-pressure sodium lamps and metal halide lamps, are commonly used in households, businesses and commercial/industrial applications and **are considered safe under normal conditions of use**. However, these lamps do contain a very small amount of mercury, which is a highly toxic substance. The risk to health and the environment only occurs if the light bulb is broken so care must be taken in handling the bulbs to ensure they do not break.

Section 1: Program Products

The Ontario Lighting Program covers all replacement lamp technologies designed to be removed by the user, which can be categorized as either “bulbs” or “tubes”. Lamps collected under the Lighting Program must be end-of-life used lamps and can only be collected from Ontario residents or businesses. Pre-consumer light “bulbs” or “tubes” or lighting generated from non-Ontario sources are not included in the Program. Lamps are often referred to as “lights”, “bulbs” or “tubes” by the public. The program includes the following types of lamps:

1.1 Accepted Program Lighting

Fluorescent Tubes:

- Fluorescent tubes – linear/straight
- Fluorescent tubes – curved/circular

Bulb/Tube Types:

- Compact Fluorescent Lights (CFLs)
- Halogen and Incandescent bulbs
- Light Emitting Diodes (LEDs)
- Ultra High Performance (UHP) lamps
- High Intensity Discharge (HID) lamps
- UV and Germicidal lamps

For further details to assist in identifying accepted lamps, including descriptions and pictures, please refer to **Appendix B: Accepted Program Products.**

1.2 Non-Program Lighting

The Program does not include the following:

- Lighting integrated into a fixture or product
- Fixtures
- Streetlights/signal lighting
- Ballasts/transformers
- String lights (light bulbs integrated into string lights)
- Intentionally crushed lighting

1.3 Broken Lights and Mercury

Collection Sites are expected to receive intact (whole) lamps, but the Program will accept small quantities of light bulbs that have been broken accidentally.

A resident or business may bring their broken lamps, and the material used for cleaning up the debris (such as paper towel, cloth, tape, cardboard or paper). Ensure that the lamps are sealed in a plastic Ziploc-style bag or glass container, then place it in a collection container provided by the Program.

Currently, there are businesses that use equipment such as a drum-top crusher or bulb crusher to intentionally crush lamps for consolidation purposes. **Collection Sites CANNOT accept these intentionally pre-crushed lamps as they have other regulatory implications.** Any inquires on pre-crushed lamps collection services should be redirected to Product Care.

The Program does NOT accept liquid mercury! Under no circumstance can a Collection Site accept liquid mercury from a resident or business.

1.4 Collection of Non-Program Products

The Program is not responsible for any other materials or products that the collection site may receive or collect (e.g. fixtures, batteries, smoke alarms, etc.). All non-program material must be managed separate from the Program.

If a resident or business brings in a product that is not accepted by the Program, you must refuse the product and return it to the resident or business or collect the material in a separate container from the Program containers. All non-program material collected is the responsibility of the collection site.

Please make the resident or business aware of the lighting products accepted by the Program. Do not hesitate to redirect them to:



Product Care Recycling website: productcare.org or
Customer service: ontario@productcare.org

If the collection site provides a collection service for products other than those accepted by the Lighting Program (e.g. non-lighting products, lighting from unaccepted sources etc.), the non-program material must be placed in different containers than the ones of the Program and they must be stored, recorded and recycled/disposed separately from the Program lighting. The Ontario Lighting Program is not responsible for and does not provide funding for non-program material. Such collection services are the sole and exclusive responsibility of the collection site.

Section 2: Collection Services Set-Up

The Ontario EEE Regulation defines certain minimum requirements for collection sites and collection events which are outlined below. Collection sites must also meet the requirements set forth in the **Appendix A: Collection Site Standard**.

2.1 Quantity of Accepted Products per Visit at Collection Sites

The EEE Regulation requires that a collection site must be able to accept at a minimum, up to 5 kilograms of accepted Program lighting per day per person. Depending on available storage capacity, collection sites can accept a larger volume; otherwise, please refer the resident or business to Product Care. Please note that if the collection site is not a retail location and accepts more than the minimum amount of lighting from a person on a single day, the collection site must record the person's name, contact information and the weight of the Program lighting accepted.

2.2 Duration of Collection Events

The EEE Regulation requires that a collection event must operate for a minimum of 4 consecutive hours.

2.3 Receiving Program Products

Providing assistance or guidance to residents and businesses dropping off lighting is required in order to minimize breakage or drop-off of non-program material.

The Program is **NOT** a self drop-off system; residents or businesses must be supervised when returning Program lighting.

Unsupervised collection containers located outside staffed areas (e.g. parking lots) is **NOT** permitted.

The location for collection at the collection site should be or have:

- Easy for customers to identify as the collection location
- Convenient, and provide easy access for both residents or businesses dropping off and employees
- Well planned and allow for efficient and safe removal of lamps boxes
- Secure from theft and tampering
- Protected from weather
- On impervious surfaces and well-ventilated



Lights **MUST** be kept dry; the Program will not compensate for wet lamps

2.4 Storage Location

Once the collection boxes are full, they can be removed from the collection area to a storage location to stage for shipping.

The storage area for collected materials should be:

- Away from high-traffic areas
- Inaccessible to the public (i.e. employees only)
- Monitored and safely maintained
- Large enough to hold provided plastic bins and/or cardboard boxes
- Protected from the elements, away from drains and on an impervious surface
- Secured during non-operating hours

It is important that the program products are packed properly to:

- Reduce breakage
- Maximise use of storage space
- Simplify handling and prevent injuries as well as exposure to staff and the environment
- Consolidate into as few containers as possible to reduce transportation costs

2.5 Public Access

The collection sites must be open for the public to drop-off accepted Program lighting during regular business hours throughout the year.

If customers abandon accepted Program lighting products on the property while the collection site is closed, take them inside and place them in the appropriate containers. If non-program material or products is abandoned, they should be disposed in accordance with any municipal, provincial or federal requirements. Non-program material or products should not be knowingly placed into the collection containers provided by the Program.

The collection events must be open for the public to drop-off accepted Program lighting during the duration of the event.

2.5 Security

When the collection site is closed, access by people or animals must be prevented to make sure that stored lamps are protected from improper handling, theft, or damage. Make sure that all materials are secured inside your facility and protected from weather at all times.

2.6 Signage and Brochures

In order to inform residents or businesses of your collection site's participation in the Program as a drop-off location, Product Care has promotional material that can be made available upon request.

Section 3: Handling, Packing & Arranging Transport

3.1 Program Materials Provided

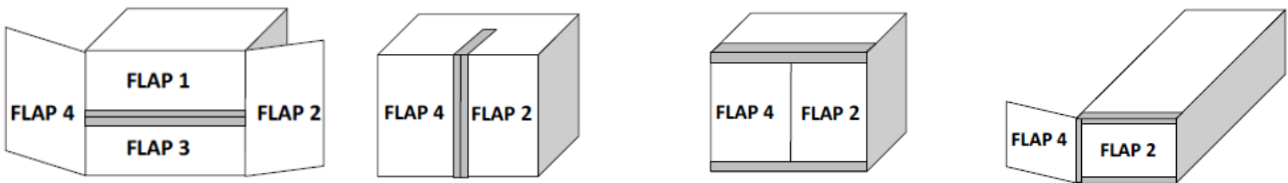
Based on your needs, Product Care or its authorized partners can provide:

- Collection container(s) (e.g. Gaylord box, cardboard "bulb" box, drum, cardboard "tube" box)
- Liners (where applicable)
- Pallet(s)
- Spill kit
- Promotional materials (e.g. signage, brochure)

3.2 Assembling Empty Boxes

Boxes will require assembly before use. Regardless of the size of the boxes provided by the Program, make sure they are securely closed by placing tape on each seam between 2 flaps and then on each edge, as shown in the drawings below: (The boxes supplied by the Program may differ from the examples below).

If plastic liners are provided with the boxes, they must be placed in each box before filling. Please ensure the liner is flush with the inner cardboard of the box and brought over the top flaps. The liner provides additional protection in case of lamp breakage and thus prevents any mercury from spilling into the environment.



3.3 Handling and Sorting Lamps into Containers

Residents or businesses can bring their lamps to you in full, sealed boxes so that once on site, your employee will only have to place the full box with the others on a pallet. Lamps can be brought to you in reused original packaging as long as the box is in good condition. There is no need to unpack these boxes and re-pack the lighting into the collection containers provided.

For lamps which are not returned in boxes, your employees must separate bulbs from straight tubes in the containers provided to minimize breakage and safely pack for transport. The following containers are typically provided to ensure safe packing:

- Container for bulbs: CFL, incandescent, halogen, LEDs, U and O shaped tubes etc. can be mixed in one container.
- Container for fluorescent tubes measuring 4' long or less
- Container for fluorescent tubes measuring more than 4' long and up to 8'

The following methods will ensure safe handling of all lamp types and minimize risk:

- The containers and packages must remain structurally sound and lack evidence of leakage, spillage or damage.
- Containers should be stored in such a way that they won't easily tip over or get damaged and should be protected from the elements.
- Stack a **maximum of 2 (two)** bulb boxes on top of each other to prevent lamp breakage.
- Do **NOT** stack material on top of the collection containers.
- Correctly sort and place the lamps in the appropriate containers to prevent shifting and breakage during transport.
- The lamps should be handled by their bases, not the glass portion and should be set down gently in the boxes or collection containers.
- Do not force fluorescent tubes in the collection container. If a tube does not slide into place within the container, the container is full.
- Keep the bulbs and shaped tubes separate from the linear tubes.
- Do not tape bulbs or tubes together or use rubber bands

- Do not leave the lamps in a position or in an area where they can be easily broken
- Ensure boxes are filled to capacity (to prevent breakage during transport) but do not overfill boxes
- Once the containers are full, seal boxes with packing tape in preparation for ship-out. Ensure all seams are taped. (section 3.2).
- Any lamp that is broken must be cleaned up immediately using the spill procedure under the Section 4: Clean-Up Procedure for Broken Lamps.

Section 4: Clean-Up Procedure for Broken Lamps

4.1 Risks

Intact (unbroken) fluorescent lamps (CFLs and fluorescent tubes) and HID lamps pose no health risk. Mercury in fluorescent lamps is in vapour form and also with the phosphor powder which coats the inside of the light bulb. Broken lamps release the mercury, which can enter the body by absorption through the skin or by inhalation of the vapour.

HID lamps contain more mercury than fluorescent lamps (30 mg on average). The mercury is sealed in a sealed glass or quartz capsule (referred to as an “ampoule” or “arc tube”) within the lamp. If the capsule remains intact the mercury is contained. However, if the ampoule is broken mercury will be released to the ground.

In both cases a careful and prompt cleanup of the spill by the designated worker will minimize exposure to the staff, residents or businesses utilizing the collection site and to the environment. **A mercury spill must be treated as a serious safety concern.** Staff should be trained in the management of broken lamps and the use of a spill kit.

4.2 Clean-Up Directions

If a mercury-containing lamp is broken, please follow the instructions below:

- Leave the room.
- Avoid stepping on broken glass.
- Turn down the thermostat; mercury forms fumes when heated.
- Ventilate the room for **at least 15 minutes prior to starting clean-up** by opening windows and doors to the outdoors. This will ensure that the mercury vapour levels are reduced before you start cleaning.
- Refuse entry of any other person in the room before clean-up is completed.

These precautions should limit the amount of mercury vapour present in the room before you begin cleaning.

Clean-up instructions for hard surfaces and/or carpets and mats

- Do NOT use a vacuum cleaner or broom to clean up the initial breakage, as this may spread the mercury vapour and dust throughout the area. In addition, mercury contamination may subsequently occur through vacuuming or sweeping.
- Wear disposable gloves to avoid direct contact with the mercury and to reduce the risk of cuts.
- Wear the supplied disposable mask.
- Scoop or pick up the broken pieces and debris with the two pieces of cardboard provided in the spill kit and place the glass and debris in the sealable plastic bag.
- Make sure to work from the outside of the spill to the centre.
- If an **HID lamp** has broken with a visibly broken ampule, see steps below.
- Use packing tape to pick up any remaining glass particles or powder.
 - Prepare several pieces of tape ahead of time to avoid contaminating the tape and to make cleaning easier.
- Take a piece of tape and place it with the sticky side facing out.
- Gently tap the contaminated area and repeat with a clean piece of tape until the contaminated area is covered. Place the used tape pieces into the sealable plastic bag.
- Wipe the contaminated area with a damp paper towel, damp cloth, or damp wipe, to remove any remaining particles.
- Place the broken glass and all clean-up materials in the plastic bag and seal it to further minimize the release of mercury vapour.

- **If an HID lamp has broken with a visibly broken ampule:**
- Use the cardboard to gather the beads of mercury. (Note: A flashlight held at a low angle in a darkened room can be used to find beads of mercury which can travel quite far on a hardened surface.)
- Use eyedropper to collect mercury and then squeeze carefully into a damp paper towel. Repeat this step as often as necessary to cover the affected area thoroughly. Place the paper towel into the sealable plastic bag
- Use packing tape to pick up any remaining glass particles, powder or smaller mercury beads.
 - Prepare several pieces of tape ahead of time to avoid contaminating the tape and to make cleaning easier.
- Take a piece of tape and place it with the sticky side facing out.
- Gently tap the contaminated area and repeat with a clean piece of tape until the contaminated area is covered. Place the used tape pieces into the sealable plastic bag.
- Wipe the contaminated area with a damp paper towel, damp cloth, or damp wipe, to remove any remaining particles. Residual mercury can be removed by wiping with vinegar followed by peroxide.
- Place the broken glass and all clean-up materials in the plastic bag and seal it to further minimize the release of mercury vapour.

- Once the clean-up effort is completed, place the sealed bags in a sturdy container (plastic container, glass jar etc.)

- Label the container with the broken lamp(s) appropriately and then place the container in a bulb box.
- Wash hands thoroughly after storing and disposing of waste.

SOURCES :

Health Canada <https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/everyday-things-emit-radiation/compact-flourescent-lamps.html>

Environment Canada <https://www.canada.ca/en/environment-climate-change/services/pollutants/mercury-environment/products-that-contain/fluorescent-lamps.html>

US EPA [Mercury](#) | [US EPA](#)

4.3 Spill Kit

The Program can supply collection sites with a Spill Kit containing the following:

- Sealable plastic bags
- Packing tape
- Cardboard
- Eye dropper
- Disposable gloves
- Disposable masks

Section 5: Training

Collection site and collection event operators are responsible for training their employees so they can safely and effectively perform the responsibilities outlined in this Guideline.

All collection site workers must understand the information provided in this Guideline and provide a clear understanding of:

- The handling and management of lamps including but not limited to:
 - Potential hazards and risks associated with handling of lamps
 - Proper and safe handling of lamps
 - Ways to reduce risk
 - Safety and emergency procedures
- Spill/breakage cleanup procedures and management
- Any operations training and policies/procedures set by the Program
- The identification of which products are accepted and not accepted by the Program
- The completion of proper shipping documentation and record keeping

Newly hired employees must also be instructed on the information in this Guideline before they are permitted to handle lamps.

Collection site and collection event operators should schedule **regular** training sessions with staff members who have emergency response responsibilities. This will help staff to regularly practice the correct response actions and be informed up to date on recommended response measures.

Section 6: Record Keeping and Reporting

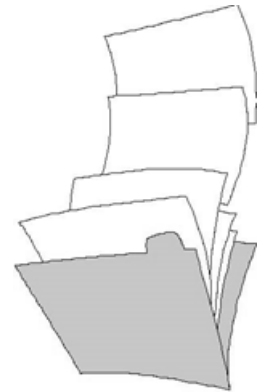
6.1 Training Records

Ensure that documentation is kept showing that staff have been trained on the information contained in this Guideline.

6.2 Reporting Incidents or Fines

The collection site will provide notice of the following to the Program:

- Any incidents that required the assistance of first responders within 24 hours of the occurrence; and
- Any regulatory orders or fines within 48 hours of receiving such orders or fines.



Product Care Recycling
180 Attwell Dr., Suite 380, Toronto, ON M9W 6A9
Tel : +1 (877) 592-2972 ext. 370 (toll-free)
Email : ontario@productcare.org

6.3 Incident Reporting

To report an incident involving **5 or more broken lamps**, please use the Incident Report Form (Appendix C) and provide the completed form to Product Care.

Section 7: Health & Safety



The Health and Safety section of this Guideline is a **supplement** to your facility's existing Occupational Health and Safety Manual and is not intended to replace any standards, acts or regulations required under Provincial or Federal legislation nor are this Guideline intended to relieve the collection site operator or workers of any obligations under this or other legislation.

This section only includes health and safety issues as they pertain to the Product Care Program and **NOT** the other services offered or activities conducted at your facility.

7.1 Lifting Hazards

Moving boxes of lamps requires bending and lifting which can cause injury if done incorrectly. Simple precautions should be used as a means of prevention.



- When lifting, bring objects near to the body; do not try to lift at arm's length.
- Bend your knees and keep your back straight.
- Only lift what you can manage safely; ask for assistance if it is needed.

7.2 Mercury Hazards

While mercury is a highly toxic substance, only a very small amount is used in fluorescent lamps and HID lamps. **There is no risk to your health when the lamps are unbroken** but care needs to be taken if the lamps are broken. The best defense is to handle the lamps with care to avoid breakage. Should a lamp break, follow the procedure in Section 4: Clean-Up Procedure for Broken Lamps.

7.3 Broken Glass Hazards

The main risk with handling lamps is of getting cut with broken glass. As with the mercury hazard, preventing breakage is the most important way to avoid this. Should a lamp get broken, follow the procedure in Section 4: Clean-Up Procedure for Broken Lamps.

7.4 Safety Equipment

No safety equipment is required for the regular handling of intact (unbroken) light bulbs. The personal protective equipment (PPE) required to handle broken lamps is noted in Section 4: Clean-Up Procedure for Broken Lamps.

Appendix A – Collection Services Standard

The Product Care Collection Services Standard defines the minimum requirements for business and organizations to become approved and operate as a collection site or collection event under the Product Care Ontario Lighting Program. This standard intends to ensure that lamps are collected and handled in a manner that will adequately safeguard the environment and worker health and safety. It will also ensure that data is collected in order to track the materials. Product Care reserves the right to review and revise these standards on an on-going basis.

Background

Fluorescent lamps (CFLs and fluorescent tubes) and HID lamps are commonly used in households and businesses and are considered safe under normal conditions of use. However, fluorescent lamps and HID lamps do contain a very small amount of mercury, which is a highly toxic substance. The risk to health and the environment only occurs if the lamp is broken. For this reason lamps should be handled with care and precautions taken to avoid breakage¹.

Disclaimer

The Collection Services Standard is not intended to reduce or absolve collection sites or collection events from the responsibility of compliance with any federal, provincial and/or municipal legislation and regulations applicable to the management of fluorescent lamps, or the business operation of the collection site. Nor is it intended to constitute or to provide legal advice. It is the responsibility of the Collection Site to be aware of and abide by all such legislation and regulations.

General Requirements

All collection sites and collection events shall:

1. Possess a valid business license and/or is an incorporated and/or an otherwise validly existing business or municipality under the laws of Ontario in good standing and qualified to carry on business in Ontario;
2. Comply with all applicable federal, provincial and/or municipal legislation and regulations including but not limited to:
 - Ministry of the Environment and Climate Change, Environmental Compliance Approval (ECA);
 - Ontario Hazardous Waste Information Network registration requirements;
 - Ontario *Environmental Protection Act*, 1990 (including R.R.O. 1990, O. Reg. 347, General – Waste Management);
 - *Transportation of Dangerous Goods Act* (TDGA);
 - Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, 2005 (EIHWHRMR) under the Canadian Environmental Protection Act;

¹ Health Canada <https://www.canada.ca/en/health-canada/services/health-risks-safety/radiation/everyday-things-emit-radiation/compact-flourescent-lamps.html>

- Occupational Health and Safety Act, R.S.O. 1990, c. O.1
 - Municipal zoning bylaws or other bylaws, such as fire codes, parking and hours of operation.
3. Possess Comprehensive or Commercial General Liability Insurance including coverage for bodily injury, property damage, complete operations and contractual liability combined single limits of not less than \$5 million per occurrence, \$5 million general liability.
 4. Possess workers' compensation coverage through either a provincial/state program or a private insurance policy.
 5. Ensure that internal procedures comply with the Guideline and that staff follow these procedures.

Collection Services Requirements

All collection sites and collection events shall:

1. In the case of collection sites, provide normal business hours of operation for the collection of lamps and in the case of collection events, meet the minimum duration required under the EEE regulation.
2. Provide personal service or guidance for residents or businesses dropping off. Drop-off in supervised areas with mechanisms or systems in place to minimize breakage and drop-off of non-program material may be possible if the collection site assumes responsibility and liability for onsite activities. Unsupervised, self-service drop off is not permitted
3. Ensure the storage area has sufficient space for safe storage, is protected from weather, and the floor is constructed of impervious material such as concrete
4. Ensure that unauthorized access to the premises and storage area is prohibited or restricted through security measures
5. Ensure that loading equipment is available for loading and unloading (at minimum pallet jack).
6. Ensure the storage area is not near sensitive areas such as drains
7. Have appropriate signage to inform the public that it is a collection site and have Program information available for the public
8. Only accept Program products as defined in the Guideline
9. Not use onsite size reduction or processing equipment for lamps
10. Provide notice to Product Care of any incidents that required the assistance of first responders within 24 hours of the occurrence. Provide notice of any regulatory orders or fines within 48 hours of receiving such orders or fines.
11. Not charge residents or businesses dropping off lighting for the program service – this is a FREE service.
12. Keep Program materials segregated from any non-program products lamps that may be returned to the Collection Site as part of a separate service the site may offer. If the site chooses to offer a service for non-program products, the site assumes all liability associated with those materials.

Occupational Health & Safety

All collection sites and collection events shall:

1. Comply with all applicable health and safety regulations, including but not limited to the Provincial Occupational Health and Safety Act.
2. Possess written procedures to systematically manage environmental, health and safety matters such as but not limited to accidents, fires and spills
3. Implement and maintain proper lamp handling and safe housekeeping procedures to ensure minimal risk of breakage
4. Provide adequate training for all employees to ensure safe and proper handling of lamps
5. Document health and safety training
6. Provide and enforce correct use of required personal protection equipment
7. Implement spill/breakage cleanup procedure when needed and maintain equipment/supplies according to depot manual
8. Implement and maintain an emergency response plan

Training

All collection sites and collection events shall ensure that all staff are trained in:

1. The handling and management of lamps including but not limited to:
2. Potential hazards and risks associated with handling of lamps
 - Proper and safe handling of lamps
 - Ways to reduce risk
 - Safety and emergency procedures
 - Emergency response plan
3. Spill/breakage cleanup procedures and management
4. The operations training program and policies/procedures set by the program
5. The identification of which lighting products are accepted and not accepted by the Program
6. The completion of proper shipping documentation and record keeping
7. All such training is documented.

Record Keeping

Maintain all records and documentation including applicable manifests, bills of lading, waste records, training records, and other data as required for a minimum of 2 (two) years.

Appendix B – Accepted Program Products

The list below contains examples of lighting products that are accepted and not accepted in the Program. Please note that this list is not exhaustive. If you have any questions about whether certain lamps are included in the Program, please contact Product Care:



Tel: +1 (877) 592-2972 ext. 370 (toll-free)

Email: ontario@productcare.org

Accepted Program Lighting

Fluorescent tubes (all shape, lengths)

Includes all diameters and shaped fluorescent tubes, UV-A, UV-B, UV-C / Germicidal lamps and tubes, and tubular induction lamps (circular, square, U etc.)



Compact Fluorescent Lights (CFLs)/ Screw – In Induction Lamps

Fluorescent bulbs including pin-type sockets, covered CFLs and screw-in induction lamps.



High Intensity Discharge (HIDs), Special Purpose and Other

Includes all HID technologies, such as High Pressure Sodium (HPS), Low Pressure Sodium (LPS), Mercury Vapour and Metal Halide, as well as UHP replacement lamps (projector etc.), neon replacement lamps, etc.



Halogen/Incandescent

Filament lamps of all shapes, and sizes.



LED

LED bulbs including pin-type or screw-in bulbs, LED tubes of all lengths and shapes, and other lamps/bulbs used for specialty purposes or industrial lighting applications (e.g. LED HID replacement lighting).



Miniature bulbs

LED, incandescent, halogen or neon miniature bulbs that are typically designed and sold as replacement bulbs for applications such as: portable lighting (i.e., handheld flashlights), indicating, signaling, signage, emergency, electronic displays, automotive and transportation and decorative lights.



Non-Program Lighting and Products

This list contains examples of products that are not accepted under the Program. Please note that this list is not exhaustive.

Fixtures



Ballasts



String lights



Batteries



Smoke & CO Detectors



INITIALED BY MUNICIPALITY: _____

Appendix C - Incident Report Form

Only fill out this incident report if five (5) or more lamps were broken at one time.

Collection Site Name _____

Address _____

Telephone Number _____

Date of Incident _____ Time of Incident _____

of Lamps Broken Five (5) Six (6) to nine (9) 10+ Box dropped

If the box dropped and resulted in broken glass, please answer the following questions:

Did any broken glass spill onto the floor? Yes No

Did the box drop during: Packing In-store movement Shipping

Please describe the incident (use additional paper if needed):

Was staff wearing protective gear to clean up? Yes No

Was anyone injured? Yes No

If yes, please attach a copy of the WCB Form and Record to this report.

What are your suggestions to help prevent this type of incident from happening in the future?

Please complete the information and e-mail the completed for (and other forms if applicable) to Product Care.

Product Care contact information:

EMAIL: ontario@productcare.org

PHONE: 1-877-592-2972 ext. 370 (Toll Free)

Employee Name _____ Signature _____

Manager Name _____ Signature _____

Board of Directors Meeting Highlights
Held in person at the
BRA MRF Board Room
May 30, 2024 at 8:30 AM



Successful Pilot Leads Lafarge And Geocycle Canada Towards 100 Percent Recycled Cement

Clinker made with recycled minerals will be used to make 100 percent recycled concrete through ready-mix operations.

A pilot project at the Lafarge Brookfield Cement Plant in Nova Scotia, in partnership with Geocycle Canada, has been completed, producing high-quality clinker made of recycled minerals recovered from waste sources. The process can potentially reduce CO₂ levels by 60 percent per ton of clinker.



Clinker is the main ingredient in cement, which, in turn, is the active ingredient in concrete. More concrete is sold than all other building materials combined each year globally.

This is the first-ever pilot focused on clinker production from recycled minerals in North America, and the second one in the world across the Holcim Group.

Lafarge Canada, Geocycle Canada, and the Holcim Group Innovative Centre have collaborated for the past year on a 100 percent circular production of clinker at the Brookfield Plant. The new production method involves substitution of virgin raw materials with lower carbon options from waste sources and utilization of fuels from materials otherwise destined for landfills. The positive industrial trial was conducted in February and cement from this clinker will be produced in spring for further testing and development of the technology.

To produce 100 percent recycled material clinker, Geocycle Canada collaborated with waste and byproduct generators in Nova Scotia to secure a solution that contained the necessary components.

Holcim's Altkirch plant in France was the first cement manufacturing facility in the world to produce clinker made entirely of recycled materials in 2022. The Nova Scotia trial continues the company's global commitment to business decarbonization and investment in circular construction.

Statistics Canada Biennial Waste Management Survey Results Released

In the most recent Canadian waste management survey by Statistics Canada (2022), it was found that Canadian households and businesses diverted almost 10 million tonnes of waste from landfills in 2022, unchanged compared with 2020. Instead of being buried, diverted material finds a second life through recycling or composting.

Provincially, Ontario (3.4 million tonnes) and Quebec (2.7 million tonnes) diverted the majority of all recycled and composted waste in 2022, while New Brunswick (+5%) saw one of the largest increases in waste diversion of all materials since 2020.

Diverting plastic waste to avoid disposal has become a challenge because of the many different types of hard-to-recycle plastics being produced for consumption and entering the waste stream. A large majority of plastic continues to be permanently disposed of in landfills. Diversion efforts targeting plastic materials have begun through the Canada-wide Action Plan on Zero Plastic Waste to meet the target of zero plastic waste by 2030.

In terms of diversion, in 2022, almost 367 000 tonnes of plastic were sent to material recycling facilities (where recyclable materials are brought to be sorted and prepared for sale). Most (72%) of this plastic came from residential sources. Newfoundland and Labrador (+25%) reported one of the largest increases in the amount of diverted plastic material.

When accumulated in landfills, organic waste emits large quantities of methane, a greenhouse gas over 25 times more potent than carbon dioxide. In 2022, organic waste diverted from landfills surpassed 3 million tonnes, down 3% compared with 2020. More than three-quarters (77%) of the waste material sent to composting facilities in 2022 came from residential sources.

In 2021, 65% of Canadian households composted kitchen waste, mostly using curbside pick-up programs (79% of households composting kitchen waste) or backyard composting (27%). Similarly, 81% of households that had a lawn or garden composted yard waste either through curbside collection (77% of households composting yard waste) or through backyard composting (23%).

For the first time, the 2022 Waste Management Survey publishes the quantities of organic material composted by classifying them in a more detailed manner. Nationally, the majority (52%, or 1.6 million tonnes) of organic materials was reported as food waste, 37% (1.1 million tonnes) was leaf and yard waste, and 11% (350 000 tonnes) was other organic materials (such as agricultural, forestry and wood waste). These proportions varied substantially among the provinces.

In most provinces, diverted organic material was mainly food waste: this was the case in Nova Scotia (67%), Alberta (67%), Ontario (53%), Quebec (49%) and British Columbia (48%). Leaf and yard waste was a greater share of organic waste composted in Manitoba (70%) and Saskatchewan (44%).

Paper Cup Acceptance At US Mills Reaches New Milestone

As the demand for recovered fiber grows in the United States, the NextGen Consortium, a multiyear consortium managed by New York-based Closed Loop Partners that addresses single-use foodservice packaging, along with the Falls Church, Virginia-based Foodservice Packaging Institute (FPI), are reporting a “major milestone” in their efforts to further paper cup recycling.

According to the organizations, multiple U.S. paper mills have announced they now will accept single-use polyethylene- (PE-) coated paper cups in bales of mixed paper or polycoat cartons and aseptic packaging, bringing the total of North American mills accepting paper cups to more than 40.



The new mills to accept paper cups include a Newman and Co. mill in Philadelphia; a PaperWorks Industries mill in Wabash, Indiana; a Resolute Forest Products mill in Menominee, Michigan; and two Greif mills—one in Austell, Georgia, and another in Milwaukee.

Historically, paper cups have been deemed unrecyclable because of their PE lining, and NextGen Consortium estimates that most of the 250 billion cups used globally every year end up in landfills.

But, as mills compete for shrinking supplies of newspaper and office paper in the recycling stream, there has been growing interest in recovering material that contains high-quality fiber, such as paper cups. Many mills have undertaken repulpability studies to determine whether they can successfully recover the fiber from coated paper packaging for use in recycled-content products, and NextGen Consortium says positive outcomes of those studies have led to higher acceptance of paper cups at North American mills.

According to FPI, the mills that now accept paper cups in mixed paper bales represent more than 75 percent of U.S. mixed paper processing demand.

In addition to working with mills that are now accepting cups, NextGen Consortium and FPI note that they continue to work with other interested mills to run studies that can help determine the viability of paper cups in their systems. They also are working with groups throughout the value chain—including brands, material recovery facilities and communities—to ensure more cups can be recycled, especially where viable and robust end markets exist.

City of Calgary to Take Part in a Foam Recycling Pilot

The City of Calgary Waste & Recycling Services team is initiating a six-month residential pilot project to collect foam packaging, also known as Styrofoam, for recycling. Beginning May 13, Calgarians can bring foam packaging for recycling to the designated area at a landfill free of charge.

Residential customers will be able to bring their foam packaging to any of the three staffed City landfills.

The pilot is free of charge unless other garbage or chargeable materials are in the load then disposal charges will apply.

Once at the landfill, customers will be directed to a designated area to drop off their foam packaging for recycling.

Calgarians can bring clean foam with no food residue, tape, glue or labels. Examples include:

- Shipping foam packaging (ex: foam that protects new electronics).
- Foam egg cartons.
- Foam meat trays with absorbent pads removed.
- Foam take-out containers.
- White and colored foam. No black polystyrene foam.

If Calgarians can't take their foam packaging to the landfill, then it should go in the black cart as garbage.

Foam packaging cannot be accepted in The City's blue cart for recycling, because when the recycling is collected it gets compacted inside the collection truck to save space. Foam packaging breaks and crumbles easily during the collection process. The broken pieces cannot be separated from other recyclables and this mixture of materials is incompatible with the recycling process, meaning that neither the foam nor the other recyclable materials can be recycled properly.

Bringing your foam packaging to a City landfill location for recycling will keep this material out of the garbage, ensuring these materials get recycled and turned into something new. The recycled foam packaging is melted down and used again to manufacture various products including cabinetry, bike helmets, tiles, frames and other plastic moldings.

The foam packaging collected at City locations is picked up by a private recycler, Styro-Go, and taken back to their facility, in Calgary for processing. Styro-Go uses a hot-melt densifier that reduces the foam into bricks to allow for economical and easy transport of materials to be recycled.

Pilot Program Enables Canadians To Recycle Walmart Reusable Shopping Bags

Walmart Canada has started to offer shoppers a national pilot program with TerraCycle to recycle reusable shopping bags.

Through the free recycling program, Canadian shoppers can send in their excess or damaged Walmart reusable blue shopping bags for recycling. Once collected, TerraCycle will take the eligible bags and either launder and donate the bags for reuse by charity partners, including Food Banks Canada, or recycle damaged bags into raw formats that manufacturers use to make new products, like plastic shipping pallets, outdoor furniture, and more.



To participate in the free recycling program, Canadians can:

- Collect their extra reusable blue Walmart shopping bags in one spot.
- Sign up here to join the program.
- Package up bags – a minimum of five bags and a maximum package size of 18x18x18 inches – apply the pre-paid label from TerraCycle and drop the package at UPS locations.

Ottawa Hiring Trash Inspectors To Watch For Illegal Dumping 3-Item Garbage Limit Launch

The city of Ottawa will be deploying trash cops to monitor for illegal dumping, when the new three-item garbage limit is introduced this fall.

Four new positions will be created this year for Ottawa Bylaw Services and Solid Waste Services to monitor illegal dumping through the transition period to the new three-item limit. The plan includes staff proactively monitoring waste in parks for potential illegal dumping, with Solid Waste Inspectors and Bylaw Services officers tasked with following up and issuing possible fines.

Staff anticipate a "temporary increase" in illegal dumping when the new limit on household waste is introduced on September 30. Two temporary positions were approved in the 2024 budget to support enhanced monitoring for illegal dumping in parks, while two additional Bylaw Services positions will be created to watch for illegal dumping at commercial and private properties.

The city will have Parks and Recreation Staff monitor the city's 1,004 parks for possible illegal dumping once the new three-item limit is imposed. Under the approach for monitoring illegal dumping, parks collection staff will watch for an increase and solid waste inspectors will escalate and follow up with residents.

The fine for illegal dumping ranges from \$205 for illegal garbage in a park bin to a minimum of \$500 for illegally dumping in a park. Fines for dumping on private properties are \$300. The City of Ottawa's education campaign ahead of the launch of the three-item limit this fall will include information on illegal dumping.

Waterloo Region Set To Make Pricey Changes To Waste Management

Changes in the new contract include a switch to carts from bins, greener trucks and a four-day collection week.

A new waste management contract with Emterra Environmental was brought before the regional planning and works committee. It includes a number of changes to the weekly collection process, but most notably, the price tag.



The new contract, estimated to cost \$285 million over eight years, would go in effect in 2026. The estimated cost for the first year is set at \$58 million, about \$23 million more than what was projected in the region's approved 2024 budget last December.

But the 2024 budget was reflective of what the region was currently paying for waste management, said Jon Arsenault, director of waste management for the region.

"We're seeing a range of increases in contract costs from anywhere from 30 to 150 per cent," he said. "We went out for bids for 2026 and beyond and this is the bid pricing we got."

In a report by city staff from February of last year, engineering and environmental services outlined a criteria of service changes they wanted to see in waste management from their next contractor. The list included:

- The switch to automated cart collection for garbage and green bin organics;
- The switch to alternative fuel sources for garbage trucks;
- Maintaining the existing collection frequencies of all waste; and,
- A change to a four-day collection week (Tuesday to Friday).

Carts, commonly known as bins, are the large, wheeled garbage containers with attached lids. Arsenault said the garbage cart will be about 240 L in volume, or about three garbage bags worth, and the organics cart will be 120 L in size.

The automated collection means the new garbage trucks will have robotic arms that reach out to pick up the carts and dump them, eliminating the need for the manual labourer typically seen riding on the back of the garbage trucks.

Instead of diesel, compressed natural gas will be used. It's much better for the environment, much less in terms of greenhouse gas emissions. Trucks are actually a lot quieter.

There is a bit of a premium on the trucks up front to purchase.

New Multi-Residential Green Bin Pilot Project Launches In London, Ontario

The City of London Ontario is launching a pilot project involving the pick up of green bin carts containing food waste from selected medium and high-rise apartment and condominium buildings.

The pilot project will eventually have between 10 and 15 buildings participating. The City, the London Property Management Association and others will analyse the results and participation in the program for the purpose of developing a larger program for London building owners.

For the launch of the pilot project, two Norquay buildings will be included, a large building with 135 units and a smaller building with 40 units. Kitchen containers and program information will be provided by the City to all those that wish to participate. The kitchen containers will be used in homes to collect food scraps and spoiled leftovers. Residents will then bring these organic materials to new community Green Bin carts provided to their building. Collection services will be provided by the City.



The City will be adding other buildings in the next two months. The duration of the pilot project will depend on the building owners. It is anticipated that some may participate for six to eight months while others may participate for up to a year or more. The duration will be assessed along with other information being compiled including comments and feedback from residents and building superintendents.

The Green Bin Program aims to bring awareness to the amount of food waste created and to keep organic materials from going to the landfill. All materials collected during the pilot project will go the City's organics processing contractor, Convertus, located on Wellington Road South.

Montreal Establishes Mobile HHW Drop Off Depots

The City of Montreal has implemented travelling collections during the spring, summer and fall for hazardous household waste such as nail polish, propane tanks, vehicle batteries, other types of batteries, some cleaning products, solvents, swimming pool chemicals, etc. Hazardous household waste (HHW) must be disposed of safely. It cannot be put out with other garbage or recyclables.



The mobile HHW drop off depots will be set up in public parks and community centres, allowing residents easier access for the disposal of HHW waste. All residents have access to travelling collections. The City has a schedule of locations for collections.

New Way And Hyzon Unveil First Hydrogen Fuel Cell Refuse Truck



Scranton, Iowa-based New Way Trucks, a refuse truck body manufacturers and Rochester, New York-based Hyzon, a hydrogen fuel cell technology developer and global supplier of zero-emission powertrains, are showcasing North America's first hydrogen fuel cell-powered electric refuse truck.

This debut to the U.S. market follows February's announcement of a joint development agreement between New Way and Hyzon, combining both companies' expertise and industry leadership to develop a zero-emission refuse collection vehicle solution.

Hyzon's high-performance hydrogen fuel cells provide consistent power over 125 miles, the company says, including up to 1,200 cart lifts and trips to the transfer station. The technology has been integrated into New Way's most-requested automated side loader, the Sidewinder XTR, with up to 12-foot reach and a large, 6-cubic-yard hopper.

The truck will test on routes in California starting with Recology, a San Francisco-based solid waste and recycling collection and processing company. The company recently achieved its goal to power its fleet with more than 90 percent renewable or alternative fuels.

Quebec Study Finds EV Transition Cost-Effective In Short-Haul Operations

Many carriers can start saving money today by transitioning to electrification slowly, one truck at a time, said Philippe Lousseize, project manager of electrification at Innovative Vehicle Institute, and Charles Trudel, the institute's technological applications group manager, during the EV & Charging Expo on May 2 in Toronto.

Lousseize and Trudel presented data from the Plug-In Fleet study, conducted by the Saint-Jérôme, Que.-based Innovative Vehicle Institute (IVI). It has revealed that a quarter of the Quebec fleet's trucks included in the study are suitable to be electrified overnight, and another quarter is electrifiable through operational adjustments.

The study highlighted that electric trucks are up to the challenge of Canadian winters, showing an average 30% drop in range during winter, a promising sign for year-round reliability.

The project has also revealed that 50-kW charges are sufficient for local short-haul deliveries, and battery weight in trucks has not proven to be a problem for carriers.

The data from the Plug-In Fleet project collected information from 60 diesel trucks (16 straight trucks and 44 semi-tractors) across 20 fleets during the second phase of the study, analyzing more than 800,000 km of combined traveled distance to assess the potential for electrification.

Later, during the third phase, five local Quebec fleets were selected for a trial stage, where participants were provided with electric trucks to use for a month at different times of the year to get first-hand experience. Data was collected through telematics and driver experience surveys.

Out of the 60 trucks assessed in the second phase of the study, 62% of straight trucks and 58% of tractors were not ready for electrification, as the transition would require significant modifications or larger batteries that are not yet available in the market.

Meanwhile, a quarter of the fleets' equipment (19% of straight trucks and 27% of tractors) examined were deemed to be ready for electrification without major adaptations. The assessment accounted for factors like range, payload, and route characteristics.

And 19% and 15% of straight trucks and tractors, respectively, were placed in the yellow readiness zone, meaning that trucks may require some adaptations or optimizations for electrification. The changes might require merging shorter routes for multiple trucks, creating routes with closer stops, and adding charging stations at the trucks' recurring stops.

IVI's data shows that the dry goods transportation sector (TL, LTL) shows high potential for electrification due to generally lighter loads and shorter routes, while bulk goods, liquids and forestry sector face significant challenges due to the high weights involved in the transportation process and the long distances traveled, making currently available electric truck models unsuitable.

Longhaul operations remain challenging for electrification without significant advancements in battery technology for now, while shorter routes like pendulum operations — where trucks consistently travel back and forth between two fixed points (and sometimes can charge at the third location) — are considered a great fit for electrification.

It is unclear if transport refrigeration units (TRU) are suitable for electrification in the future. IVI concluded TRUs are not currently fit for electrification due to added weight and lack of electric TRUs available in the market.

To know if an existing vehicle qualifies for electrification, fleet managers can assess it by several criteria, IVI suggests. The criteria include running less than 200 km per day, vehicle returning to base at night after the runs, and hauling dry box goods, with low or medium payloads. Ideally, the operations would have limited highway driving, running one shift daily, or several pendulum operations with charging opportunities.

The study found that trucks transitioning to electric can expect significant savings in fuel costs, potentially saving nearly \$200,000 in around 10 years, depending on the distance driven annually. From those electrification-ready trucks (without adaptation needs) examined in the second phase of the study, IVI calculated an average ROI of 2.5 to seven years.

Meanwhile, the fastest environmental break-even point in the study — where an electric truck becomes cleaner than its diesel counterpart — was reached at three months, while the longest was recorded at 13 months.

The last company that completed its trial is Sleeman Brewery which distributed its beer in side-and back-load trailers with built-in Moffetts. It operated a Kenworth truck, driving almost 2,000 km, paying roughly \$1,000 for electricity with a maximum charging time reaching seven hours. Even though the trial was conducted in the spring, the team encountered a snowstorm during one of the deliveries.

On a regular day, the truck demonstrated a consistent range of about 190-200 km, starting with a full battery. This range was adequate for the brewery's daily operations under normal weather conditions. On the snowstorm day, however, the driver got stuck in the snow twice, and the range dropped to 125 km.

Based on the data collected from all four electric trucks during the trial, in winter, the average electric truck range drops by 30% to 250 km. However, five to 10 days a week, when Quebec experienced snowstorms during IVI's trial run, the range dropped 45%, to 200 km. On such snowy days, fleets can replace electric vehicles with diesel as a workaround, IVI suggests.

However, driving range in spring and fall reached 350 km and declined slightly (to 300 km) in 'best' winter conditions of above 0C.

ISRI Reveals New Identity

After more than 35 years as the Institute of Scrap Recycling Industries (ISRI), the trade association has rebranded as the Recycled Materials Association (ReMA), unveiling its new name and logo during the closing general session of the ISRI2024 Convention and Exhibition in Las Vegas.

The organization's new identity includes the new tagline—Sustainable. Resilient. Essential.—which emphasizes the industry's core benefits to society and attributes, ReMA says, noting the recycled materials industry is sustainable by helping protect the environment, resilient by providing materials that strengthen the economy and essential by ensuring the things we need are there to make everyday life better.

In the lead-up to its new name and logo reveal, the association celebrated its history with several initiatives, including an online timeline featuring historic milestones from the recycled materials industry, as well as memorable moments from across the organization's more than 30 years.

The association also launched a digital mosaic where members shared memories of ISRI and various events over the years prior to ISRI2024. A full-scale physical installation was part of the ISRI Hub during the convention to bring members' memories to life on-site.

Now at more than 1,700 members, the association was formed in 1987 when the Institute of Scrap Iron and Steel merged with the National Association of Recycling Industries. Roughly 800 companies have been members of the organization for more than 20 years.

ISRI rebrand highlights sustainable, resilient, and essential nature of recycled materials industry



Covanta Rebrands, Shifts To Regional Structure

Waste-to-energy solutions provider Covanta has marked a period of growth and investment with a rebranding to Reworld.



Two years of investment, transformation, and growth has led waste-to-energy provider Covanta to a new milestone in its evolution as a sustainable waste solutions company: the introduction of its new identity, Reworld.

Reworld has become a multifaceted entity, expanding its geographic footprint, showcasing solutions for waste management, and adopting a fully regionalized approach focused on enhancing customer experience. Its efforts showcase a future where modern waste management contributes to a smarter, more sustainable world.

The Reworld suite of products help companies and municipalities navigate complex waste challenges. This change marks a breakthrough in the company's journey towards leadership in sustainable waste solutions.

Reworld has successfully made many investments and acquisitions that have put more than \$1 billion towards infrastructure enhancements. It features a wide array of carbon-negative waste solutions that can reliably address various customers' Net Zero goals.

The launch of the Reworld identity brings a number of new introductions as well, with a focus on ReDirect360 (zero-waste-to-landfill), ReDrop (wastewater treatment), ReKiln (alternative fuel engineering), ReMove (transportation and logistics), and ReCredit (sustainable carbon offsets). These solutions provide customers a fast way to exceed sustainability objectives by minimizing carbon footprints, preserving resources, and trailblazing new revenue streams.

Reworld plans to ensure service continuity, bolstered by around-the-clock account management, service, and support. A forthcoming new customer portal will also help streamline operations.

EREF Research Project Seeks To Improve Safety For The Waste And Recycling Industry

The main goal of the project is to identify factors contributing to worker fatalities and injuries and use that information to develop guidance to improve awareness of safety issues and promote safety.

The Environmental Research and Education Foundation (EREF) will manage research efforts to improve safety in the waste and recycling industry.



Researchers from the University of South Carolina and the University of Nebraska-Lincoln will collect and aggregate data from publicly available databases and other sources. The main goal of the project is to identify factors contributing to worker fatalities and injuries and use that information to develop guidance to improve awareness of safety issues and promote safety. The goal is zero fatalities.

Dennis Eagle Joins Together For Safer Roads Coalition

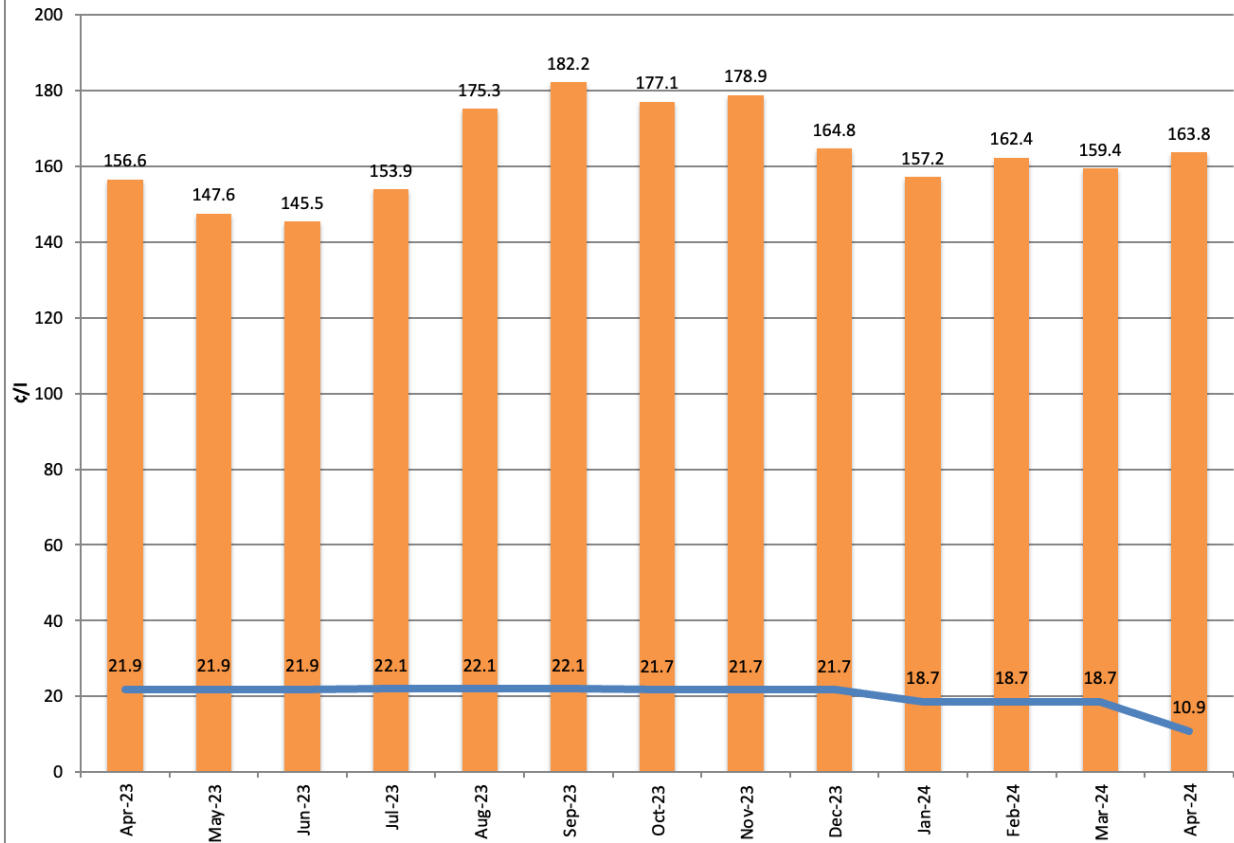
Together for Safer Roads (TSR) has added Dennis Eagle as its newest coalition member.

Dennis Eagle's experience in vehicle design tailored to the safety needs of recyclers and waste management companies has helped make them an ideal vehicle supplier in the waste management industry.

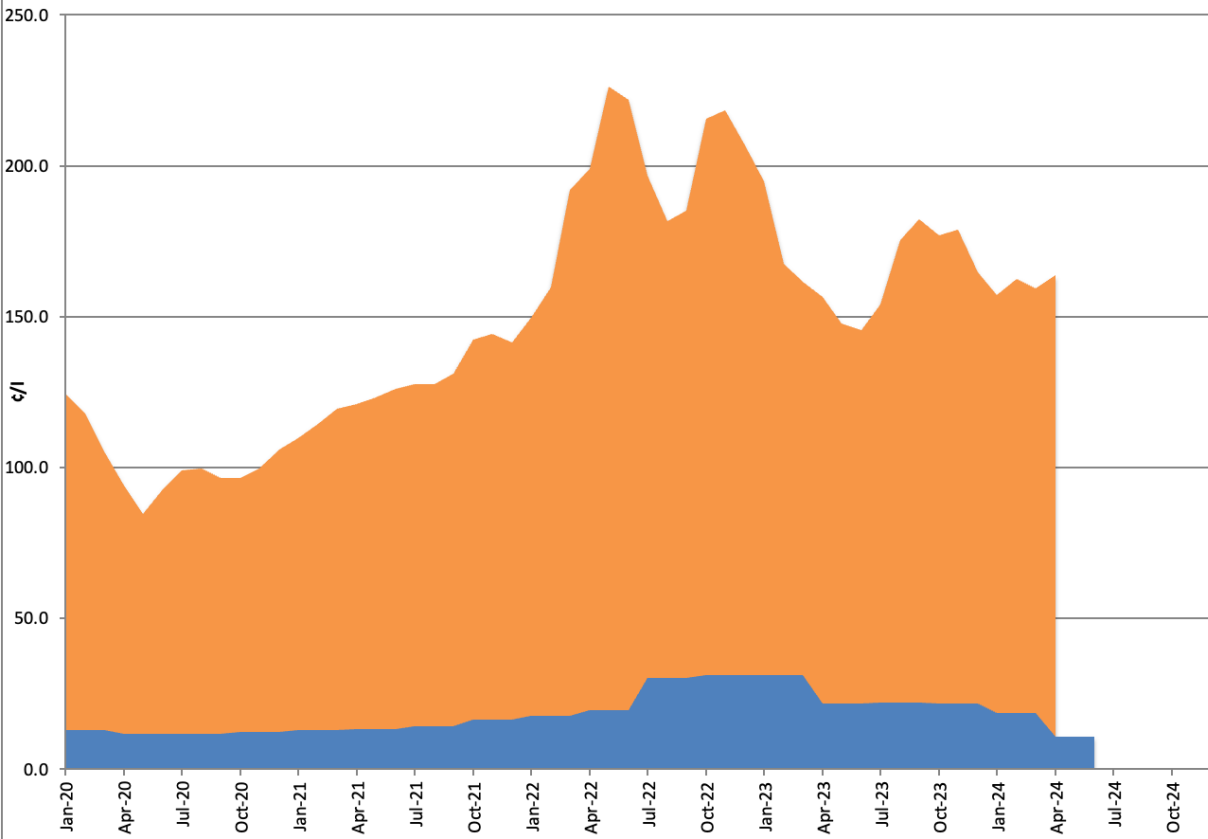


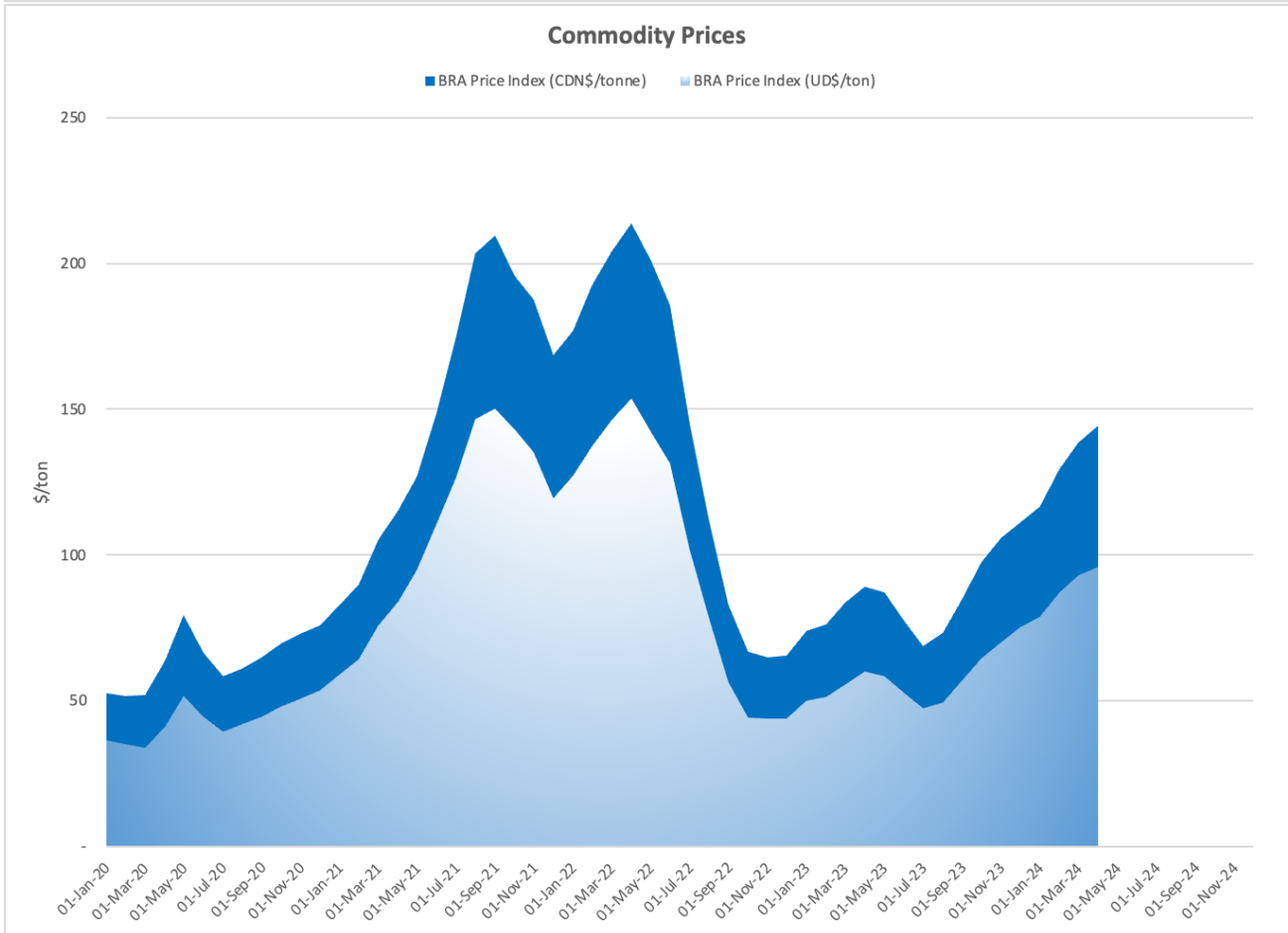
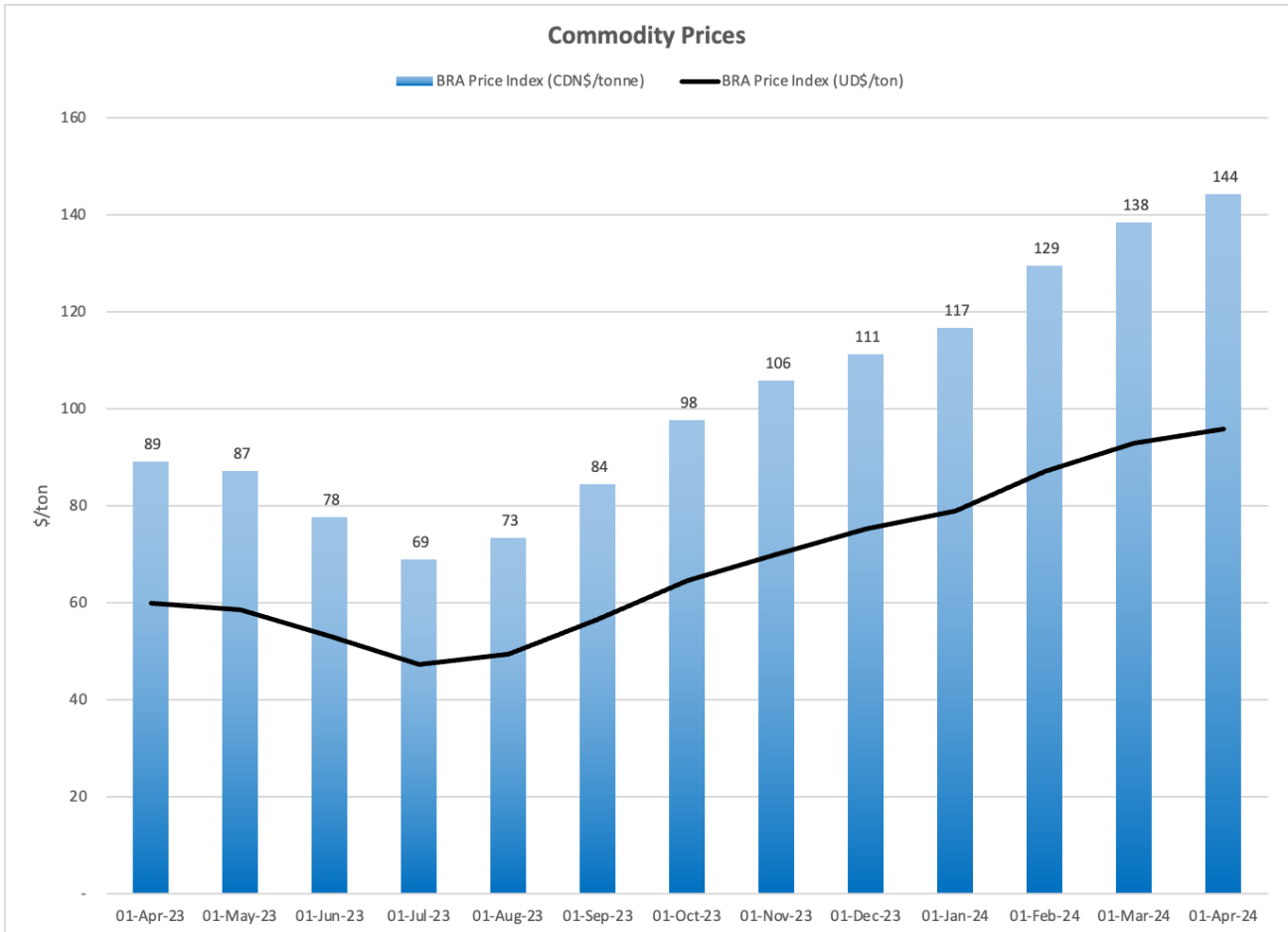
Dennis Eagle is a U.S. manufacturer, with a new plant and headquarters based in Summerville, South Carolina. In 2022, Dennis Eagle partnered with Century Waste Services to incorporate their ProView vehicles in waste collection in New York City, and have supplied to many municipalities including Calgary, Dallas, Denver, and Pittsburgh. The ProView chassis has ideal visibility through its panoramic cab and unobstructed walkthrough design.

Diesel vs CNG Price (Retail incl. Tax)



Diesel vs CNG Price (Retail incl. Tax)





Minutes

St. Marys Business Improvement Area Committee

Regular Meeting

May 13, 2024

6:00 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Committee Members Present: Megan Feeney

Councillor Aylward

Lisa Fewster

Sue Griffiths

Alexandra Pritchard O'Shea (video conference)

Jan Scott

Dan Troyer

Staff Present: Kelly Deeks-Johnson, Tourism and Economic Development Manager

Jenna McCartney, Clerk

Sara Bradford, Social Media and Marketing Coordinator

1. CALL TO ORDER

The Chair called the meeting to order at 6:00 pm.

2. DECLARATION OF PECUNIARY INTEREST / CONFLICT OF INTEREST

None.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Councillor Aylward

Seconded By Sue Griffiths

THAT the May 13, 2024 St. Marys Business Improvement Area Board agenda be approved.

Carried

4. ACCEPTANCE OF MINUTES

Moved By Lisa Fewster

Seconded By Sue Griffiths

THAT the March 5, 2024 St. Marys Business Improvement Area Board meeting minutes be approved by the Board and signed by the Chair and the Secretary.

Carried

5. DELEGATIONS

5.1 Patty Hayes re: Strategic Plan Service

Patty Hayes of Page by Page presented a high-level overview of the work she can provide for a strategic plan of the BIA.

5.2 United Way Perth-Huron re: United Housing

Representing United Way Perth-Huron, Kathy Vassilakos presented information regarding united housing to the Board.

Moved By Jan Scott

Seconded By Lisa Fewster

THAT the presentation from the United Way Perth - Huron regarding united housing be received.

Carried

5.3 DCS 34-2024 Ontario Summer Games Triathlon Event Planning Update

Stephanie Ische presented DCS 34-2024 report and responded to questions from the Board.

Moved By Jan Scott

Seconded By Lisa Fewster

THAT DCS 34-2024 Ontario Summer Games Triathlon Event Planning Update report be received; and

THAT the BIA Board assign two members (Sue Giffiths and Jan Scott) to act in a liaison role with the internal Town staff planning committee for the 2024 Ontario Summer Games Triathlon Event; and

THAT \$1,000 be allocated towards the purchase of gift takeaways for the participants of the Ontario Summer Games, specific to the St. Marys triathlon event.

Carried

6. CORRESPONDENCE

6.1 Chantal Lynch re: Use of Patios

Moved By Lisa Fewster

Seconded By Councillor Aylward

THAT the correspondence from Chantal Lynch regarding the use of patios be received.

Carried

6.2 LIB 15-2024 Printing Services at the St. Marys Public Library

Councillor Aylward presented information regarding the printing services available at the St. Marys Public Library.

Moved By Lisa Fewster

Seconded By Jan Scott

THAT LIB 15-2024 Printing Services at the St. Marys Public Library report be received.

Carried

7. TREASURER'S REPORT

Sue Griffiths presented the April 2024 treasurer's report.

Moved By Jan Scott

Seconded By Councillor Aylward

THAT the April 2024 Treasurer's report be accepted as presented.

Carried

8. COUNCIL REPORT

Moved By Lisa Fewster

Seconded By Sue Griffiths

THAT the verbal Council report be received.

Carried

9. OTHER BUSINESS

9.1 Director Position Nominations

The Board discussed the option of nominations for the current term of the Board. No decisions were made at this time.

9.2 Beautification and Grant - M. Feeney

On behalf of the Board, an application was submitted for grant funding to support the installation of artistic bicycle racks in the downtown as well as art wraps around 8 utility boxes and 26 self-watering containers.

The call for artists will begin June 3 with art chosen by the first week of July.

If the funding is received, Sara Bradford has recommended that a working group be struct to help with artistic selection. If the funding is not received, the Board was asked to consider if it wishes to proceed with part of, or all of, the project.

Megan Feeney would like to assist with the working group.

Next Board meeting - consideration for whether the project proceeds.

9.3 Beautification Working Group - L. Fewster

Lisa Fewster stated that quotes are being sought for the planters in the downtown.

9.4 Marketing and Communication Update - S. Bradford

Sara Bradford stated that she recently attended the OBIA conference.

Alex O'Shea Pritchard provided a branding update and shared an overview of the phased approach to the project. There will be a request of the Board at a future meeting to consider the proposed logos for final determination.

9.5 Heritage Festival Working Group

Dan Troyer provided an update to the BIA's plans for the upcoming Heritage Festival including that the BIA area will be located in a booth near the kids zone. Volunteers are required to support the area throughout the day and information will be circulated seeking volunteers shortly.

The BIA will not distribute cards during the festival this year.

Moved By Lisa Fewster

Seconded By Dan Troyer

THAT the Business Improvement Area Board appoint Megan Feeney to the Heritage Festival Working Group.

Carried

9.6 Selfie Spot Lighting or Other Activations / Nuit Blanche

Nothing to report at this time.

9.7 Heritage Festival Spend

Town staff will bring forward a report related to a request for this year's Heritage Festival sponsorship.

9.8 St. Marys Pride Sponsorship

Moved By Lisa Fewster

Seconded By Jan Scott

THAT the Business Improvement Area Board sponsor \$500 for the 2024 Pride Event.

Carried

9.9 'Bases Loaded' Card for Canadian Baseball Hall of Fame Induction Weekend

This is an initiative by the Canadian Baseball Hall of Fame for Induction Weekend. There is no charge and merchants are asked to stamp the cards when a patron visits a local business.

Moved By Jan Scott

Seconded By Lisa Fewster

THAT the St. Marys Business Improvement Area Board allocate \$1,200 to the 'Bases Loaded' initiative as well as distribute and create promotional material to support and initiate.

Carried

9.10 'Where's Waldo', St. Marys, July 2024 - Jan Scott

Jan Scott explained that the program is based on a community wide scavenger hunt. Twenty-five participating downtown businesses will hide a Waldo decal. Participants are encouraged to find Waldo and receive a stamp when successfully locating the twenty-five placed Waldo's. Stamped cards are submitted to a draw.

9.11 Tourism Dept. Update

- RFP for the St. Marys Tourism Strategy is nearing a decision for the successful proponent. The project will include the review of all print

material and tourism assets in St. Marys, as well as gathering recommendations for increasing tourism.

- St. Marys Passport has been developed by the St. Marys Museum. Between July 1 and August 30, participants will be encouraged to complete a number of tasks listed on the passport. Successful entries will be eligible for \$100 St. Marys money draw.
- 2024 Visitors Guides have been delivered and updates have been posted to social media.
- Yak Shack is opening next week with online bookings being available.
- Explore Ontario advertisement has been published in the Globe & Mail

10. UPCOMING MEETINGS

June 10, 2024 - 6:00 pm

11. ADJOURNMENT

Moved By Lisa Fewster

Seconded By Jan Scott

THAT this meeting of the St. Marys Business Improvement Area Board adjourns at 8:36 pm.

Carried

Chair

Committee Secretary



Minutes

ADHOC Library Space and Needs Committee

May 22, 2024

4:30 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Member Present Barbara Tuer, Cole Atlin

Staff Present Jennifer Knechtel

1. **CALL TO ORDER**

The Chair called the meeting to order at 4:42pm.

2. **DECLARATION OF PECUNIARY INTEREST**

None.

3. **AMENDMENTS AND APPROVAL OF AGENDA**

Moved By Cole Atlin

Seconded By Barbara Tuer

THAT the agenda for the May 22, 2024 St. Marys Public Library Personnel Committee be approved as presented.

CARRIED

4. **CLOSED SESSION**

Moved By Cole Atlin

Seconded By Barbara Tuer

THAT the St. Marys Public Library Personnel Committee move into a session that is closed to the public at 4:42 pm as authorized under the *Public Libraries Act*, R.S.O. 1990, c.P.44, Section 16.1(4) personal matters about an identifiable individual.

CARRIED

4.1 Annual Performance Appraisal

5. RISE AND REPORT

The Chair reported that a closed session was held with one matter being discussed. There is nothing further to report at this time.

Moved By Cole Atlin

Seconded By Barbara Tuer

THAT the Committee rise from closed session at 4:51 pm.

CARRIED

6. ADJOURNMENT

Moved By Cole Atlin

Seconded By Barbara Tuer

THAT the May 22, 2024 St. Marys Public Library Personnel Committee meeting be adjourned at 4:51 pm.

CARRIED

Chair

Board Secretary

SPRUCE LODGE
Board of Management Meeting
April 17th, 2024

Present: *Peter Bolland, David Schlitt, Jennifer Facey*

Councillors: *Lesley Biehn, Dave Lucas, Marg Luna, Sue Orr, Jerry Smith*

Regrets: *Councillor Geza Wordofa*

➤ *Chairperson, Councillor Luna brought the meeting to order.*

Moved by Councillor Smith

Seconded by Councillor Orr

That the agenda for April 17th, 2024 be approved.

CARRIED

Approval of Minutes:

Moved by Councillor Biehn

Seconded by Councillor Lucas

That the minutes of the March 20th, 2024 be approved as amended.

CARRIED

Auditor's Report:

Mike Arndt and Brad Klein from Graham Mathew Professional Group joined the meeting Mike Arndt gave an overview of the audit process, and indicated there were very few adjusting entries, and a clean audit opinion. Mike Arndt reviewed the Spruce Lodge Home for the Aged Draft Audited Financial Statements for the year ended December 31, 2023.

Moved by Councillor Smith

Seconded by Councillor Biehn

To approve the Spruce Lodge Home for the Aged Audited Financial Statements for the year ended December 31, 2023 as presented.

CARRIED

➤ *Declaration of pecuniary interest. (None noted.)*

Business Arising: *None noted.*

New Business:

Ratification of Accounts:

Moved by Councillor Orr

Seconded by Councillor Biehn

That the March 2024 accounts in the amount of \$489,612.13 be ratified.

CARRIED

SPRUCE LODGE - Continued

Board of Management Meeting

April 17th, 2024

Financial Report:

The Business Manager distributed the Spruce Lodge Home for the Aged Financial Statement for the 2 months ending February 29, 2024 for review and discussion. Occupancy was 97.3% in February of 2024, and 98.5% for March 2024. Funding adjustments will begin in April 2024, and are higher than anticipated. We have received notification of one-time funding for capital projects. While the priority is to ensure compliance with fire detection and sprinkler systems, once achieved, funds can be used for other capital projects, and deferred maintenance.

The Business Manager also reviewed the Analysis of Agency Expenses for the year ended December 31, 2024. PSW agency use has ended. RN and RPN are still in use but much lower than last year. There are currently only two (2) vacant part-time PSW lines, and two (2) part-time RPN lines. All RN lines are filled.

Moved by Councillor Orr
Seconded by Councillor Lucas

To accept the Spruce Lodge Home Financial Report for the 2 months ending February 29th, 2024 as presented.

CARRIED

Administrator's Report:

Strategic Planning:

Strategic planning meetings have been confirmed for May 9th, 2024 from 4-6 p.m. and June 20th, 2024 from 1-5 p.m.

Moved by Councillor Biehn
Seconded by Councillor Orr

To enter closed session at 6:13 p.m. to discuss identifiable individuals.

CARRIED

Moved by Councillor Lucas
Seconded by Councillor Smith

To enter open session at 6:38 p.m.

CARRIED

Moved by Orr
Seconded by Smith

That the Administrator's report be accepted as presented.

CARRIED

Other Business:

The Long Service Awards will be held on May 15th, 2024 following the Board meeting. Board members are asked to bring greetings from the respective municipalities.

Correspondence: None presented.

Moved by Councillor Lucas
That the meeting be adjourned.

CARRIED

SPRUCE LODGE - Continued

Board of Management Meeting

April 17th, 2024

Date & Time of Next Meeting:

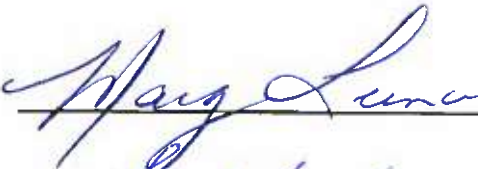
May 9th, 2024 4:00 p.m. - Strategic Planning

Wednesday, May 15th, 2024 @ 5:00 p.m.


Long Service Awards to follow at 6:30 p.m.

- Griffith Auditorium

Councillor Marg Luna
Chairperson



Jennifer Facey
Secretary



Date



Minutes

Upper Thames River Conservation Authority (UTRCA)

Board of Directors Meeting

9:45am Tuesday, April 16, 2024 at 1424 Clarke Rd, London

(Hybrid Meeting)

Brian Petrie, UTRCA Board Chair, called the meeting to order at 9:54am.

Members Present:

Peter Cuddy – Online
Skylar Franke
Tom Heeman
Anna Hopkins
Sandy Levin
Hugh McDermid
Paul Mitchell

Harj Nijjar – Online
Brian Petrie – Chair
Mark Schadenberg
Dean Trentowsky
George Way
Scotty Zehr

Regrets:

Debbie Heffernan
Jim Craigmile

Solicitor: G. Inglis

Staff Present:

Jenna Allain
Tracy Annett
Laura Biancolin
Emily Chandler
Christine Creighton
Ben Dafoe
Brad Glasman
Mark Helsten
Mike Knox

Stefanie Pratt
Christine Saracino
Jessica Schnaithmann
Chris Tasker
Brent Verscheure
Michelle Viglianti – Recorder
Karen Winfield
Brandon Williamson

1. Territorial Acknowledgement

The Chair read the territorial acknowledgement.

2. Modifications to the Agenda

There were no modifications made to the agenda.

3. Declarations of Pecuniary Interest

There were no declarations of pecuniary interest.

4. Administrative Business

4.1. Approval of Minutes of Previous Meeting: March 26, 2024

Mover: Paul Mitchell

Secunder: Scotty Zehr

THAT that the Upper Thames River Conservation Authority Board of Directors approve the Board of Directors' minutes dated March 26, 2024, including any closed session minutes, as amended on the Upper Thames River Conservation Authority web-site. Carried.

4.2. Business Arising from the Minutes

There was no business arising from the minutes.

4.3. Correspondence

There was no correspondence.

5. Delegations/Presentations

5.1. City of London Delegation – Mud Creek

Shawna Chambers, Division Manager, Stormwater Engineering and Scott Mathers, Deputy City Manager, Planning and Economic Development presented their delegation supporting the Mud Creek Two Zone concept. They provided a history of the area and infrastructure, outlined the problem of frequent flooding on Oxford Street, and reviewed the next steps for the significant work and improvements planned, noting the urgency to move the work forward.

Ongoing collaboration between the City and UTRCA staff was noted. Members confirmed UTRCA staff were committed to engaging with the City when reviewing the responses to the Streamlining Initiatives Request for Proposal (RFP), and that the City would confirm what City Staff members should be involved. Members also confirmed

City staff were committed to sitting down with UTRCA staff to discuss workflow matters in order to speed up processes.

6. Reports – For Consideration

6.1. Mud Creek Two Zone Concept

(Report attached)

There was a discussion on the wording of the third section of the staff recommendation in regards to the proposed ‘every 10 year’ review period. The Board agreed the recommendation should be changed to read “at least every 10 years”. The change was made with the intent to provide more flexibility going forward.

Mover: Sandy Levin

Secunder: Anna Hopkins

THAT the UTRCA Board of Directors approve the concept for a two-zone approach for a defined area within the Mud Creek Subwatershed in the City of London;

AND

THAT the existing board-approved policies for flood fringe and floodway be implemented for the area identified for the two-zone approach,

AND FURTHER,

THAT the two-zone concept within the Mud Creek Subwatershed be reviewed at least every 10 years.

Carried.

The Chair called for a short recess at 10:41am.

The Chair called the meeting back to order at 10:54am.

7. Reports – In-Camera

There were no in-camera reports.

8. Reports – For Information

8.1. Administration and Enforcement – Section 28 Status Report

Mover: Sandy Levin

Secunder: Skylar Franke

THAT the Board of Directors receive the report for information.

Carried.

8.2. Project Status Update

Staff noted the Fee Freeze letter would be added to the project status update report next month.

Mover: Mark Schadenberg

Seconder: Scotty Zehr

THAT the Board of Directors receive the report for information.

Carried.

8.3. Proposed Regulation Minister's Permit and Review Powers ERO #019-8320

The General Manager and Chair attended a meeting with the Minister yesterday with other high growth Conservation Authorities. The Minister confirmed the intent of the proposed Minister's powers was that they only be used in case of timing issues, in order to move applications forward.

Mover: George Way

Seconder: Sandy Levin

THAT the Board of Directors receives the report for information.

Carried.

8.4. Hydro Plan Update

Mover: Hugh McDermid

Seconder: Tom Heeman

THAT the Board of Directors receives the report for information.

Carried.

8.5. Former Children's Safety Village – Progress Update

Staff provided a presentation on the history of the Children's Safety Village and progress to date on the building updates.

The Board discussed the budget for the future projects at this site, the status of the partnership with the YMCA for 2025, and the original funders.

Members noted they looked forward to seeing the business plan for the former Children's Safety Village.

Mover: Skylar Franke

Seconder: Anna Hopkins

THAT the Board of Directors receives the report for information.

Carried.

8.6. UTRCA Land Acquisition – Wheeler Tract (Fish Creek Property Donation)

Mover: Paul Mitchell

Seconder: Scotty Zehr

THAT the Board of Directors receives the report for information.

Carried.

8.7. Thames River Current – April Edition

The April edition of the Thames River Current was presented for the member's information.

Mover: Mark Schadenberg

Seconder: Sandy Levin

THAT the Board of Directors receives the report for information.

Carried.

9. Reports – Committees

9.1. Finance and Audit Committee

There will be a Finance and Audit Committee meeting at 12:00 this afternoon.

9.2. Hearing Committee – March 24, 2024 Outcome

Mover: Dean Trentowsky

Seconder: Paul Mitchell

THAT the Board of Directors receives the report for information.

Carried.

There will be a virtual Hearing Committee meeting on Thursday April 25th.

10. Notices of Motion for May 28, 2024

There were no notices of motion.

11. Chair's Comments

The Chair, Vice-Chair and General Manager attended the Conservation Ontario meeting in Toronto yesterday. Highlights of the meeting included the election of a new Board of Directors and a report on section 28 reporting showing 95% of all permits issued by Conservation Authorities met the Provincial guidelines (up from 91% in 2022), and 89% of all permits met the tighter Conservation Ontario best practice timelines (up from 84% in 2022).

The Chair commended Conservation Ontario for their work and ability to get funding for Conservation Authorities to access, noting that the funding for the Wheeler project came through Conservation Ontario.

The Chair complimented Conservation Ontario for arranging a meeting with the Minister and complimented the Minister for being open to looking at evidence supporting an end to the Fee Freeze.

12. Member's Comments

Mark Schadenberg informed the members of a community tree planting event taking place in Woodstock on April 27th.

The Chair reminded the members that it is Thames River Clean Up season, and that Ingersoll is holding their cleanup day April 20th.

13. General Manager's Comments

The General Manager noted it was a busy time of year with lots of activities and opportunities for members to participate.

The General Manager noted that the parks will be fully open soon and are currently open for the spring shoulder season. She noted that seasonal staff hiring went very smoothly this year with a lot of returning staff.

The General Manager noted that Conservation Ontario is currently collecting comments from all Conservation Authorities for the current postings on the Environmental Registry of Ontario.

14. Adjournment

There being no further business, the meeting was adjourned at 11:35 am on a motion by Tom Heeman, seconded by Skylar Franke.

Tracy Annett, General Manager
/mv



Minutes

Committee of Adjustment

June 5, 2024

6:00 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Members Present	Paul King, Vice-Chair Mike Bolton William Galloway Burton Pickel
Member Absent	Steve Cousins, Chair
Staff Present	Mark Stone, Town Planner Grant Brouwer, Director of Building and Development / Secretary-Treasurer Morgan Dykstra, Deputy Clerk
Others Present	Dave Lucas, 2492780 Ontario Inc. (365 Widder Street East)

1. CALL TO ORDER

Vice-Chair Paul King called the meeting to order at 6:00 pm.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Mike Bolton

Seconded By Burton Pickel

THAT the June 5, 2024 Committee of Adjustment agenda be accepted as presented.

CARRIED

4. ACCEPTANCE OF MINUTES

Moved By Burton Pickel

Seconded By Mike Bolton

THAT the March 27, 2024 Committee of Adjustment minutes be approved and signed by the Chair and the Secretary / Treasurer.

CARRIED

5. REPORTS

5.1 DEV 23-2024 Minor Variance Application (File No. A02-2024) by 2492780 Ontario Inc., 365 Widder Street East, Town of St. Marys

Vice Chair Paul King advised how the Notice of the application was distributed and how members of the public can participate or view the meeting.

The Town's Planner, Mark Stone spoke to the application as detailed in the staff report and added that since the circulation of the Notice the Upper Thames River Conservation Authority indicated they have no comments related to the application.

Vice Chair Paul King invited the applicant, Dave Lucas of 2492780 Ontario Inc. to speak to the application.

Dave Lucas provided an overview of the variances being sought, and the justification for the variances as per the application submission.

Mike Bolton asked if the porch is being shifted to the west to avoid being within the sightline triangle.

Dave Lucas responded it is being relocated to avoid the sightline triangle and maintain the required setbacks.

Burton Pickel asked for the difference between the definition of a driveway and a parking area as per the Town's Zoning By-law, and if the proposed driveway's width can be 8.0 metres at the curb and be widened closer to the garage doors.

Mark Stone responded that the provision of an 8.0 metre wide driveway is defined as where the driveway connects with the road.

Mark Stone further explained that the property is unique since it is a corner lot, and the proposed driveway width is less of a concern since the driveway access is proposed on St. Andrew St North instead of Widder Street East, and that the proposed width better accommodates parking since the depth of the driveway is less. Furthermore, the property has approximately 58.0 metres of frontage, and the request for an 11.0 metre wide driveway represents only 20% of the total frontage.

Burton Pickel responded that an 11.0 metre parking area to match the garage doors seems reasonable, but the proposal doesn't necessarily require an 11.0 metre driveway entrance at the curb.

Grant Brouwer explained that the Town does not regulate the parking ramp which is the area between the property line and curb, and that the size of the parking area is evaluated based on how it impacts landscape open space and lot coverage percentages, if those provisions conform with the Zoning By-law, then the size of the parking area is appropriate.

Grant Brouwer further added that for a commercial use property, there is typically a driveway that connects with a parking area which means that the driveway is purely an access point, and there is no parking on the driveway which aligns with the definitions in the by-law for a driveway and a parking area, whereas in a low-density residential setting the driveway and parking area serve the same purpose.

Mike Bolton sought clarification if the proposed driveway will be 11.0 metres at property line.

Dave Lucas responded that the design of the driveway includes a flare at the curb which measures approximately 11.0 metres, however when constructing the driveway the width could be reduced at the property line depending on the materials used, and grading requirements.

Mark Stone added that as per the site plan, the 11.0 metres is measured along the entire garage, whereas the length of the area fronting the garage doors is 9.0 metres.

Burton Pickel asked if it is reasonable to ask that the driveway be the width of the garage doors, and any additional width be a walkway in a different material.

Grant Brouwer explained that if a walkway in a different material is installed beside the driveway and to the curb, it is not considered a part of the driveway.

Vice Chair Paul King asked if there were any questions from the public. There were no comments from the public, and the Committee had no further questions.

Moved By Mike Bolton

Seconded By Bill Galloway

THAT the Application for Minor Variance by 2492780 Ontario Inc. (Application File No. A02-2024), affecting land described as 365 Widder Street East in the Town of St. Marys to seek relief from the Zoning By-law to:

- a. recognize an existing lot area of 743 m² whereas the R2 Zone requires a minimum lot size of 795.5 m² for a corner lot;
- b. recognize an existing lot frontage of 18.47 metres whereas the R2 Zone requires a minimum frontage of 21.5 metres for a corner lot;
- c. recognize an existing exterior side yard of 3.17 metres and a proposed exterior side yard of 5.05 metres whereas the R2 Zone requires a minimum of 6.0 metres; and,
- d. permit a maximum driveway width of 11.1 metres in a Residential Zone whereas the Zoning By-law permits a maximum width of 8.0 metres,

be **APPROVED** as the request conforms to the general intent and purpose of the Official Plan and the Zoning By-law, is considered minor in nature, and is desirable for the appropriate development or use of the subject property, subject to the following conditions:

1. This approval is granted only to the nature and extent of this Application (File A02-2024).
2. Any required building permit(s) shall be obtained within two (2) years of the Committee's decision.
3. That failure to comply with and maintain the conditions of the Committee will render the approval null and void.

CARRIED

6. UPCOMING MEETINGS

Town staff to contact the Committee when an application has been deemed complete.

7. ADJOURNMENT

Moved By Mike Bolton

Seconded By Bill Galloway

THAT this Committee of Adjustment meeting be adjourned at 6:30pm.

CARRIED

Steve Cousins, Chair

Grant Brouwer, Secretary-Treasurer



MINUTES
Community Policing Advisory Committee

May 15, 2024

9:00 am

Municipal Operations Centre
408 James Street South, St. Marys

Committee Members Present: Mayor Strathdee
Jacqueline Hibbert
Tony Winter
Councillor Edney
Councillor Luna

Committee Member Regrets: Robert Zensner

Stratford Police Services Present: Chief Skinner
Deputy Chief Foster

Staff Present: Brent Kittmer, Chief Administrative Officer
Jenna McCartney, Clerk

1. CALL TO ORDER

The Vice-Chair called the meeting to order at 9:00 am.

2. DECLARATION OF PECUNIARY INTEREST

None.

3. AMENDMENTS AND APPROVAL OF AGENDA

Tony Winter requested to bring forward policing questions from community members for the Stratford Police Service. The Chair indicated this would be added under Other Business.

Moved By Councillor Luna

Seconded By Tony Winter

THAT the May 15, 2024 Community Policing Advisory Committee agenda be accepted as amended.

CARRIED

4. ACCEPTANCE OF MINUTES

The minutes will be updated to reflect 2024 as the year of the meeting and to update the Chair for signing purposes.

Moved By Councillor Edney
Seconded By Councillor Luna

THAT the April 17, 2024 Community Policing Advisory Committee meeting minutes be approved as amended by the Committee and signed by the Chair and the Secretary.

CARRIED

5. REPORTS

5.1 Crime Stoppers Report

Chief Skinner presented the March 2024 Crime Stoppers report.

Moved By Councillor Edney
Seconded By Tony Winter

THAT the March 2024 Crime Stoppers report be received.

CARRIED

5.2 Police Monthly Statistics

Deputy Chief Foster presented the April 2024 police monthly statistics.

Stratford Police Service will be conducting a policy review related to vehicle pursuit.

Park Patrol will commence service in St. Marys on Wednesday, May 29.

Moved By Councillor Luna
Seconded By Tony Winter

THAT the April 2024 Police Monthly Statistics report be received.

CARRIED

5.3 Stratford Police Service Board Liaison Report - Coun. Edney

Councillor Edney presented that 789 Erie Street is open and members of the public are being directed to that location for administration needs.

Chief Skinner stated that with the transition to the *Community Safety and Policing Act*, all police services board members must complete comprehensive training to be eligible for their role on the board.

Moved By Mayor Strathdee
Seconded By Councillor Luna

THAT the Stratford Police Services Board Liaison report from Councillor Edney be received.

CARRIED

6. OTHER BUSINESS

6.1 Citizen Inquiries

Deputy Chief Foster stated that the Stratford Police Service (SPS) distributes information through Facebook, Instagram, X, the website as well, and media releases are put through their normal channels.

A comment has been presented by a member of the public through Tony Winter that police do not appear to be present in St. Marys. Chief Skinner stated that it is SPS' goal to be present and visible in the community. As well, with the transition between community resource officers, presence in St. Marys has been increasing.

There is a provision within the Parking By-law that vehicles may not remain on the street for prolonged periods of time, in excess of 72 hours. If citizens witness such an occurrence, they are asked to contact the non-emergent telephone number of the Stratford Police Service.

7. UPCOMING MEETINGS

June 19, 2024 - 9:00 am

8. ADJOURNMENT

Moved By Councillor Edney
Seconded By Councillor Luna

THAT this Community Policing Advisory Committee meeting be adjourned at 9:27 am.

CARRIED

Robert Zensner, Chair

Jenna McCartney, Clerk



Minutes

Green Advisory Committee

May 16, 2024

5:30 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Members Present	Lynette Geddes, Chair Councillor Aylward Katherine Moffat Fred Stam Steve Vivian
Member Absent	Teresa Barresi
Staff Present	Jed Kelly, Director of Public Works Thomas Redman, Public Works Coordinator Morgan Dykstra, Deputy Clerk

1. CALL TO ORDER

Chair Lynette Geddes called the meeting to order at 5:31 pm.

2. DECLARATION OF PECUNIARY INTEREST

None.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Fred Stam

Seconded By Councillor Aylward

THAT the May 16, 2024 Green Advisory Committee meeting agenda be accepted as presented.

4. DELEGATIONS

4.1 Upper Thames River Conservation Authority re: Various Green Initiatives

Vanni Azzano provided a presentation to the Committee regarding various green initiatives being undertaken by the Upper Thames River Conservation Authority and the Town of St. Marys.

Moved By Fred Stam

Seconded By Steve Vivian

THAT the delegation from the Upper Thames River Conservation Authority regarding various green initiatives in St. Marys be received;

THAT the Green Committee endorse in principle a Perth Children's Water Festival in St. Marys; and,

THAT Green Committee recommend to Council:

THAT Council consider a request from the Upper Thames River Conservation Authority to host a Perth Children's Water Festival in St. Marys in 2025.

Carried

5. ACCEPTANCE OF MINUTES

Moved By Katherine Moffat

Seconded By Fred Stam

THAT the February 15, 2024 Green Advisory Committee meeting minutes be approved by the Committee, and signed by the Chair and the staff liaison.

Carried

6. BUSINESS ARISING FROM MINUTES

None.

7. REPORTS

7.1 PW 28-2024 May Quarterly Green Advisory Committee Report

Jed Kelly and Thomas Redman presented PW 28-2024.

Moved By Katherine Moffat

Seconded By Steve Vivian

THAT PW 28-2024 May Quarterly Green Advisory Committee Report be received for information.

Carried

8. OTHER BUSINESS

Lynette Geddes requested a presentation from the St. Marys Cement Plant regarding their Alternative Low Carbon Fuels Project.

Town Staff responded that they would reach out to the St. Marys Cement Plant to determine availability.

9. UPCOMING MEETINGS

June 20, 2024 at 5:30 pm (Municipal Operations Centre - Boardroom)

September 19, 2024 at 5:30 pm (Municipal Operations Centre - Boardroom)

10. ADJOURNMENT

Moved By Councillor Aylward

Seconded By Steve Vivian

THAT this Green Advisory Committee meeting be adjourned at 6:20 pm.

Carried

Lynette Geddes, Chair

Jed Kelly, Committee Secretary / Director of Public Works



MINUTES

Heritage and Culture Advisory Committee

May 8, 2024

6:00 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Members Present	Mayor Strathdee Councillor Lucas Karen Ballard Andrea Macko Trevor Schram Clive Slade Stephen Habermehl Sherri Winter-Gropp
Staff Present	Amy Cubberley, Cultural Services Manager
Members Absent	Julian Francoeur

1. CALL TO ORDER

Chair Habermehl called the meeting to order at 6:00pm

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Karen Ballard

Seconded By Al Strathdee

THAT the May 8, 2024 Heritage and Culture Advisory Committee agenda be accepted as presented.

CARRIED

4. DELEGATIONS

4.1 Dan Schneider, Stratford-Perth Architectural Conservancy of Ontario

Dan Schneider, president of the Stratford-Perth Architectural Conservancy of Ontario gave a presentation and responded to questions.

Moved By Clive Slade

Seconded By Councillor Lucas

THAT the delegation from Dan Schneider on behalf of the Stratford-Perth Architectural Conservancy of Ontario be received.

CARRIED

5. CORRESPONDENCE

None received.

6. ACCEPTANCE OF MINUTES

Moved By Clive Slade

Seconded By Karen Ballard

THAT the March 13, 2024 Heritage and Culture Advisory Committee minutes be approved by the Committee and signed by the Chair and the staff liaison.

CARRIED

7. BUSINESS ARISING FROM MINUTES

Staff noted that the Heritage and Culture Advisory Committee's recommendation regarding a poet laureate will go to Council on May 28.

8. REGULAR BUSINESS

8.1 Heritage Business

8.1.1 Properties of Interest or At Risk

None noted

8.1.2 Homeowner / Property Owner Letters

Trevor will send a letter to the new owners of 232 Elgin Street East, a listed property.

8.2 Museum Business

8.2.1 Museum Monthly Report

Amy Cubberley spoke to DCS 32-2024 and responded to questions.

Moved By Sherri Winter-Gropp

Seconded By Trevor Schram

THAT DCS 32-2024 Museum and Archives May Monthly Report be received for information.

CARRIED

8.2.2 Museum Emergency Preparedness Plan

Amy Cubberley spoke to DCS 33-2024 and responded to questions.

Committee members suggested adding an artifact grab list and creating a plan for lightening. Committee members are asked to submit any further suggestions by May 20.

Moved By Clive Slade

Seconded By Karen Ballard

THAT DCS 33-2024 Draft Museum Emergency and Disaster Plan report be received; and

THAT the Heritage and Culture Advisory Committee receive the draft Emergency and Disaster Plan for review and feedback.

CARRIED

8.3 Public Art Business

None.

9. COUNCIL REPORT

Councillor Lucas and Mayor Strathdee updated the committee on 14 Church Street North renovations, Town Hall renovations, the Ontario Summer games, and potential plans for the west quarry.

10. OTHER BUSINESS

10.1 Fall/Winter meeting time

Meeting time will be adjusted to 7:00 in September to accommodate staff scheduling conflict.

11. UPCOMING MEETINGS

June 12, 2024 at 6:00pm.

12. ADJOURNMENT

Moved By Clive Slade

Seconded By Andrea Macko

THAT this meeting be adjourned at 7:08 pm.

CARRIED

Chair

Committee Secretary



MINUTES
Planning Advisory Committee

May 21, 2024
6:00 pm
Municipal Operations Centre

Committee Present: Don Van Galen
Mike Bolton
Councillor Craigmile
Councillor Lucas

Committee Regrets: Bill Galloway

Staff Present: Grant Brouwer, Director of Building and Development
Mark Stone, Planner
Jenna McCartney, Clerk

1. CALL TO ORDER

Grant Brouwer called the meeting to order at 6:00 pm.

2. APPOINTMENT OF CHAIR

Grant Brouwer opened the floor to nominations for the role of chair.

Councillor Craigmile nominated Don Van Galen.

Don Van Galen accepted the nomination.

Grant Brouwer closed the floor to nominations for chair.

Moved By Councillor Craigmile

Seconded By Mike Bolton

THAT Don Van Galen be appointed as the Chair of the Planning Advisory Committee effective May 21, 2024 to December 31, 2024.

Carried

3. APPOINTMENT OF VICE CHAIR

Grant Brouwer opened the floor to nominations for the role of vice-chair.

Mike Bolton nominated Councillor Jim Craigmile.

Jim Craigmile accepted the nomination.

Grant Brouwer closed the floor to nominations for chair.

Moved By Mike Bolton

Seconded By Dave Lucas

THAT Jim Craigmile be appointed as the Vice-Chair of the Planning Advisory Committee effective May 21, 2024 to December 31, 2024.

Carried

4. DECLARATION OF PECUNIARY INTEREST

None.

5. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Councillor Craigmile

Seconded By Mike Bolton

THAT the May 21, 2024 Planning Advisory Committee agenda be accepted as presented.

Carried

6. ACCEPTANCE OF MINUTES

Moved By Councillor Craigmile

Seconded By Dave Lucas

THAT the July 31, 2023 Planning Advisory Committee meeting minutes be approved and signed by the Chair and the Secretary.

Carried

7. Z01-2024 Zoning By-law Amendment 428 Queen Street West

7.1 Procedural Comments

Grant Brouwer outlined the proceedings of this evening's meeting.

7.2 DEV 22-2024 Application for Zoning By-law Amendment (Z01-2024) for 428 Queen Street West by Baker Planning Group Inc. for Pol Quality Homes and Joan Lang

Mark Stone presented an overview of the planning application.

7.3 Presentation (Applicant and Agent)

Caroline Baker presented an overview of the planning application.

In response to Councillor Craigmile's inquiry, Caroline Baker confirmed the planning application includes provisions specific to the R5 zoning requirements which are not currently in the Town's 1997 Zoning By-law.

In response to Don Van Galen's inquiry, Mark Stone stated that the Town's target for affordable units is 30% which this is not achieving, however, the applicant is proposing to turn over the two affordable units to agencies to manage.

Mark Stone reiterated that when the Town's Zoning By-law was approved in 1997, it did not include these types of higher density housing. The provisions being asked for by the applicant are in line with requirements permitted in other municipalities.

In response to Don Van Galen's inquiry about parking utilization, Caroline Baker confirmed that the agent review two sites in St. Marys to compare utilization with parking requirements of the Town. In both comparisons, this subject property under application exceeded the utilization.

7.4 Public Comments

7.4.1 UTRCA

During Mark Stone's overview of the planning application, he outlined the comments received from Upper Thames River Conservation Authority.

7.4.2 Chris West

During Mark Stone's overview of the planning application, he outlined the initial and follow up comments received from Chris West.

A summary of Mr. West's follow up comments include:

- By-law changes should uphold preserving greenspace along with responsible development.
- Reducing the number of units per building would reduce parking requirements and allow more greenspace.
- 1.3 parking spots per residence is insufficient.

- There is a significant amount of traffic along Queen Street with an increase in the number of vehicles turning at the Pelissier Street/Queen Street intersection. The additional traffic presents a potential safety concern.
- Are there barriers planned to stop “shortcuts” across neighboring properties?
- Does St. Marys need further building with an increase in population of just 1% (census Canada)?
- It is inevitable drivers will park the closest they are able to park during the day, namely Pelissier Street on both sides. The parking of vehicles on Pelissier will affect the safety of people utilizing Pelissier.
- There is no adequate place for children to play.
- There appears to be no adequate provision for storage of snow, recycle and garbage containers.
- There are concerns that privacy, peacefulness et al will end relating to change the property from Residential R2 to Residential Zone R5.

7.4.3 Additional Comments

Fred DeLong, 31 Pelissier Street, will there be a fence around the property?

Caroline Baker stated there will be buffer requirements, but those details are not confirmed at this stage of the planning application.

Rhonda DeLong, 31 Pelissier, what is the plan to place garbage containers?

Caroline Baker stated there is a plan to place garbage containers on the site in a structure that is partially stored in the ground and manages odour.

Scott Graham, 468 Queen Street West, what is the definition of an affordable unit?

Mark Stone stated that the most recent figures are for example, a one-bedroom and two-bedroom unit around \$1,400 per month.

Scott Graham asked whether the land has been expropriated at the front of the property along Queen Street West.

Mark Stone stated that if road widening is required, it would be completed at the time of site plan approval. Within the current application, there is enough land to maintain the 35% open space requirement if road widening is required.

Caroline Baker confirmed that open space does not consist of buildings or parking space.

Scott Graham inquired where overflow parking would be permitted.

Caroline Baker is relying upon the results of the traffic utilization study to identify that there is enough parking being proposed in this planning application.

Brent Dundas, 21 Pelissier Street, stated that the Town should confirm ownership of the former Jones Street Road allowance to the south of the Lang property.

Brent Dundas stated that a fence would be appreciated between the subject property and those abutting Pelissier Street.

Bob Darling, 44 Pelissier Street, stated that it appears the property south of the subject property may own a portion of the former Jones Street West road allowance.

Mr. Darling cited he believes there is an easement off of Elgin Street towards Jones Street .

Mr. Darling also raised concern that there is only one egress from the subject property to Queen Street West.

7.5 Committee Comments

Councillor Lucas inquired whether staff are aware of the exact property dimensions.

Mark Stone confirmed that a survey is provided at time of the application submission and a final survey will be completed at the time of creating the road widening.

Mike Bolton inquired how affordable housing can be guaranteed.

Mark Stone stated that the Town has hired a housing consultant who is working towards ensuring such guarantees are in place.

Don Van Galen stated that he is concerned about the number of parking units being proposed in this planning application.

Mike Bolton inquired whether the proposed parking unit numbers can be modified through the Committee's recommendations.

Mark Stone stated that he has identified the proposed number of parking units as a possible concern.

Moved By Councillor Craigmile

Seconded By Dave Lucas

THAT DEV 22-2024 Application for Zoning By-law Amendment (Z01-2024) by Baker Planning Group Inc. for Pol Quality Homes and Joan Lang for 428 Queen Street West be received;

THAT the Planning Advisory Committee endorse the Application, in principle; and,

THAT the Planning Advisory Committee recommend to Council:

THAT Council proceed with a public meeting to consider the Application

Carried

8. UPCOMING MEETINGS

Town staff to contact the Committee when an application has been deemed complete.

9. ADJOURNMENT

Moved By Councillor Craigmile

Seconded By Mike Bolton

THAT this meeting of the Planning Advisory Committee be adjourned at 7:25 pm.

Carried

Chair

Recording Secretary



Minutes

Recreation & Leisure Advisory Committee

May 29, 2024

5:30 pm

Municipal Operations Centre

408 James Street South, St. Marys

YouTube Link - <https://www.youtube.com/channel/UCzuUpFqxcEI8OG-dOYKteFQ>

Member Present: Rick Lyons, Chair
Jeremy Brock
Scott Crawford
Rick Kennedy
Councillor Pridham
Pam Zabel

Staff Present: Stephanie Ische, Director of Community Services
Joannah Campbell, Recreation Manager
Vanessa Bisschop, Community Services Coordinator
Jenna McCartney, Clerk
Morgan Dykstra, Deputy Clerk

1. CALL TO ORDER

Chair Rick Lyons called the meeting to order at 5:30 pm.

2. DECLARATION OF PECUNIARY INTEREST

None declared.

3. AMENDMENTS AND APPROVAL OF AGENDA

Moved By Pam Zabel

Seconded By Jeremy Brock

THAT the May 29, 2024 Recreation and Leisure Advisory Committee agenda be accepted as presented.

Carried

4. ACCEPTANCE OF MINUTES

Moved By Councillor Pridham
Seconded By Richard Kennedy

THAT the April 24, 2024 Recreation and Leisure Advisory Committee meeting minutes be approved and signed by the Chair and Secretary.

Carried

5. BUSINESS ARISING FROM MINUTES

None.

6. REPORTS

6.1 Verbal Update - Recreation, Leisure and Culture Master Plan

Stephanie Ische stated that Monteith Brown Planning Consultants have been hired to complete the Recreation, Leisure and Culture Master Plan, the project is expected to be completed before the end of the year. There will be a consultation process which will begin at the Recreation Fair, and a survey and stakeholder meetings will follow.

The Committee sought clarification regarding their role in the project.

Stephanie Ische responded that the Committee will be involved in the process, likely via a stakeholder meeting, the Committee is also asked to complete the survey.

7. CLOSED SESSION

Moved By Jeremey Brock

Seconded By Richard Kennedy

THAT the Recreation and Leisure Advisory Committee move into a session that is closed to the public at 5:44 pm as authorized under the *Municipal Act*, Section 239(2)(b) personal matters about an identifiable individual, including municipal or local board employees.

Carried

7.1 DCS 37-2024 CONFIDENTIAL Sports Wall of Fame Nomination Review

8. RISE AND REPORT

Moved By Councillor Pridham

Seconded By Jeremy Brock

THAT the Recreation and Leisure Advisory Committee rise from a closed session at 7:39 pm.

Carried

During closed session, Richard Kennedy declared a conflict of interest with respect to Item 7.1 Sports Wall of Fame Inductees.

The Chair reported that a closed session was held with one matter regarding personal matters about an identifiable individual being discussed. The Committee will consider a resolution related to matter.

8.1 2024 Sports Wall of Fame Inductees

Moved By Jeremy Brock

Seconded By Richard Kennedy

THAT the Committee approves the following nominations for the 2024 induction period:

- Inductee the late Riley Hern (Athlete)
- Inductee Dale Levy (Athlete)
- Inductee Patrick Payton (Builder)
- Inductee the late Ferris Stewart (Builder)

Carried

Richard Kennedy removed themselves from the table and did not vote on the resolution.

Moved By Pam Zabel

Seconded By Councillor Pridham

THAT the Committee approves the following nominations for the 2024 induction period:

- Inductee Mark Bell (Athlete)
- Inductee the St. Marys Creamery Juniors (1988) (Team)

Carried

Richard Kennedy returned to their seat at the table.

Staff explained that notice will be provided to those who have been successfully inducted, those who are being held for future induction

periods, and those who are ineligible based on the information that was submitted.

Staff added that the physical display will be installed during the summer months and a news release regarding the successful inductees will be issued, the induction ceremony is expected to take place in the fall, with the actual date to be confirmed.

9. UPCOMING MEETINGS

June 26, 2024 at 5:30 pm (Municipal Operations Centre - Boardroom)

10. ADJOURNMENT

Moved By Jeremy Brock

Seconded By Pam Zabel

THAT this meeting of the Recreation and Leisure Advisory Committee be adjourned at 7:55 pm.

Carried

Rick Lyons, Chair

Stephanie Ische, Director of Community Services / Committee Secretary

BY-LAW 62-2024

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to authorize an agreement between The Corporation of the Town of St. Marys and Avon Maitland District School Board for collaborative relationships for extended services partnership.

WHEREAS: The *Municipal Act, 2001, S.O. 2001, c.25*, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents, and its powers shall be exercised by by-law;

AND WHEREAS: The Council for the Corporation of the Town of St. Marys wishes to enter into an agreement with Avon Maitland District School Board for the collaborative relationships for extended services partnership (the "Project");

AND WHEREAS: The Council for the Corporation of the Town of St. Marys deems it expedient to enter into an agreement with Avon Maitland District School Board (the "Agreement") for the purpose of clarifying and delineating the respective terms and conditions of and for the delivery of the Project;

AND WHEREAS: It is appropriate to authorize the Mayor and the Clerk to execute the Agreement on behalf of the Town;

NOW THEREFORE: The Council of The Corporation of the Town of St. Marys enacts as follows;

1. That the Mayor and the Clerk are hereby authorized to execute an Agreement on behalf of The Corporation of the Town of St. Marys between The Corporation of the Town of St. Marys and the Avon Maitland District School Board.
2. That a copy of the said Agreement is attached hereto this By-law, and to affix the corporate seal of The Corporation of the Town of St. Marys.
3. This by-law comes into force and takes effect on the final passing thereof.

Read a first, second and third time this 11th day of June 2024.

Al Stratthdee, Mayor

Jenna McCartney, Clerk

BY-LAW 63-2024

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to authorize an agreement between The Corporation of the Town of St. Marys and the Huron-Perth Catholic District School Board for collaborative relationships for extended services partnership.

WHEREAS: The *Municipal Act, 2001, S.O. 2001, c.25*, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents, and its powers shall be exercised by by-law;

AND WHEREAS: The Council for The Corporation of the Town of St. Marys wishes to enter into an agreement with the Huron-Perth Catholic District School Board for the collaborative relationships for extended services partnership (the “Project”);

AND WHEREAS: The Council for The Corporation of the Town of St. Marys deems it expedient to enter into an agreement with the Huron-Perth Catholic District School Board (the “Agreement”) for the purpose of clarifying and delineating the respective terms and conditions of and for the delivery of the Project;

AND WHEREAS: It is appropriate to authorize the Mayor and the Clerk to execute the Agreement on behalf of the Town;

NOW THEREFORE: The Council of The Corporation of the Town of St. Marys enacts as follows;

1. That the Mayor and the Clerk are hereby authorized to execute an Agreement on behalf of The Corporation of the Town of St. Marys between The Corporation of the Town of St. Marys and the Huron-Perth Catholic District School Board.
2. That a copy of the said Agreement is attached hereto this By-law, and to affix the corporate seal of The Corporation of the Town of St. Marys.
3. This by-law comes into force and takes effect on the final passing thereof.

Read a first, second and third time this 11th day of June 2024.

Al Stratthdee, Mayor

Jenna McCartney, Clerk

BY-LAW 64-2024

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to authorize the signing of an agreement between The Corporation of the Town of St. Marys and Product Care Association of Canada

WHEREAS: The *Municipal Act, 2001, S.O. 2001, c.25* as amended, Section 5(3) provides that the jurisdiction of every council is confined to the municipality that it represents and its powers shall be exercised;

AND WHEREAS: Product Care Association of Canada operates program(s) pursuant to *O. Reg 522/20 Electrical and Electronic Equipment* issued under the *Resource Recovery and Circular Economy Act, 2016, S.O. 2016, c. 12, Sched 1* (the "RRCEA") for which Product Care Association of Canada is registered as a Producer Responsibility Organization with the Resource Productivity and Recovery Authority;

AND WHEREAS: The Corporation of the Town of St. Marys wishes to enter into an agreement with Product Care Association of Canada to provide and/or arrange for certain collection and post-collection services of lighting materials on behalf of and to Product Care Association of Canada ("the Project").

AND WHEREAS: The Council for the Corporation of the Town of St. Marys deems it expedient to enter into an agreement with Product Care Association of Canada (the "Agreement") for the purpose of clarifying and delineating the respective terms and conditions of and for the delivery of the Project;

AND WHEREAS: It is appropriate to authorize the Mayor and the Clerk to execute the Agreement on behalf of the Town;

NOW THEREFORE: The Council of the Corporation of the Town of St. Marys hereby enacts as follows:

1. That the Mayor and the Clerk are hereby authorized to execute an Agreement on behalf of The Corporation of the Town of St. Marys between The Corporation of the Town of St. Marys and Product Care Association of Canada.
2. That a copy of the said Agreement is attached hereto this By-law, and to affix the corporate seal of the Corporation of the Town of St. Marys.
3. This by-law comes into force and takes effect on the final passing thereof.

Read a first, second and third time and finally passed this 11th day of June 2024.

Al Strathdee, Mayor

Jenna McCartney, Clerk

BY-LAW 65-2024

THE CORPORATION OF THE TOWN OF ST. MARYS

Being a By-law to confirm all actions and proceedings of the Council of the Corporation of the Town of St. Marys at its regular meeting held on June 11, 2024

WHEREAS: *The Municipal Act, 2001, S.O. 2001, c.25, as amended, Section 5(3), provides that the jurisdiction of every council is confined to the municipality that it represents, and its powers shall be exercised by by-law;*

AND WHEREAS: The Council of the Corporation of the Town of St. Marys deems it expedient to confirm its actions and proceedings;

NOW THEREFORE: The Council of The Corporation of the Town of St. Marys enacts as follows;

1. That all actions and proceedings of the Council of the Corporation of the Town of St. Marys taken at its regular meeting held on the 11th day of June 2024 except those taken by by-law and those required by by-law to be done by resolution are hereby sanctioned, ratified and confirmed as though set out within and forming part of this by-law.
2. This by-law comes into force on the final passing thereof.

Read a first, second and third time and finally passed this 11th day of June 2024.

Al Stratthdee, Mayor

Jenna McCartney, Clerk